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Abstract

Citizens of the European Union have a whole range of different rights granted to them only on the basis of their nationality of one of the EU member states. These privileges make living, working or studying within the EU, but also outside the EU, a lot easier. In particular, the mobile citizens of the EU enjoy the right to free movement which is one of the most appreciated rights the EU grants to their citizens. Among other things, the European Union aims to promote the feeling of belonging to Europe and the development of citizens' awareness of their rights and possibilities within the Union. Mobility which allows especially young people to gain more experience from abroad and to improve their personal skills and their employment chances is also the key for supporting the citizens' awareness and their identification with Europe. This paper demonstrates the development of EU citizenship, the rights emerging from it and in particular it analyses the freedom of movement. It further presents mobility programmes and possibilities which result from the citizenship and citizens' rights. In order to expose the effect of mobility programmes on citizens' awareness various analyses and researches are presented in this paper.

The main findings indicate that mobility has a positive impact on citizens' awareness. However, their positive attitude towards Europe and the EU have existed already before participating in any of the mobility programmes or being mobile.

1. Introduction

Christoph Schönberger¹ describes the citizenship status that has developed in the European Union as remarkable since citizenship is the central political state of loyalty of modern states. The structure of the EU is not usually classified as a state and does not claim a possible state quality.² Since the European Union is not a state, there are corresponding reconstructions of European citizenship. These primarily highlight what distinguishes European citizenship from nationality of states. In 2009 the judgment of the Federal Constitutional Court of the Treaty of Lisbon was emphasized, Union citizenship is not a nationality and does not constitute a union nation either.³ European citizenship (Union citizenship) is a matter of a complementary status. It only works with the connection to the continuing nationality of the respective Member State. Art 9 (2) of TEU as well as Art 20 (1) of TFEU emphasize that anyone who is a national of a Member State is a Union citizen under the applicable contract law. In addition, Union citizenship is added to national citizenship without replacing them (Article 9 (3) TEU, Article 20 (1) TFEU).⁴ “According to the Lisbon ruling of the Federal Constitutional Court, for example, the status of EU citizenship remains merely a derived status complementary to the nationality of the Member State.”⁵

However, the mere rule of law is not sufficient to gain access to the rights of the European Union. The ECJ was the first to provide the legal provisions for legal-practical relevance in many areas. Particularly in the case of the citizenship of the Union as laid down in Article 20 TFEU, the distinctiveness of the European Law is visible. The concept of the Union’s citizenship has been put into practice by the ECJ far beyond the Treaty text. On the one hand, the Court of First Instance based the Art 20 TFEU on a link to Articles 18 and 21 of the TFEU. In addition, the Court of Justice has adopted decisive verdict on citizenship, which have defined the basic status of nationals of the Member States.⁶

¹ 2016, p. 651.

² Ch. Schönberger, ‘Die Bürgerschaft der Europäischen Union, Anmerkungen zu einem multinationalen Bürgerrecht in historisch-vergleichender Perspektive’, *Geschichte und Gesellschaft*, vol. 42, no. 4, 2016, p. 651.

³ Decisions of the Federal Constitutional Court 123, 267 (404) - Lisbon (2009).

⁴ Cf. Schönberger, p. 652.

⁵ Schönberger, p. 652. Translated by the author from German to English.

⁶ Cf. F. Jung and S. Schmahl, ‘Die Unionsbürgerschaft: Ein komplexes Rechtsinstitut mit weitreichenden Folgen’, *Juristische Ausbildung*, vol. 11, 2016, p. 1272.

The citizenship can be defined as “an overarching integration project of supranational nature pursued by the European Union”⁷ and not only economic or political cooperation that distinguishes it from other international organizations. As independent legal entities and owners of rights and obligations which derive directly from Union law, the Member States as well as their citizens have already been considered early in the context of economic integration. Process of creating an ever closer union of the peoples of Europe laid down in the preamble remained at the intergovernmental level. The inclusion of Union citizenship in the Treaty of Maastricht (1993) was ultimately the result of the various actions. EU citizens crave for a comprehensive inclusion started in the 1980s and created discussions on a political and economical level about the formation of a European citizenry. This led to the increase of the importance of the Union's development towards a "Europe of citizens".⁸

If possibilities within the EU for mobile citizens and the citizens' awareness are the research object, then it is necessary to search for the connection between the rights of EU citizen and the opportunities which result from them. Education as a central element for the EU and the beginning of cooperation in education within the EU started to raise attraction for mobility in this field.⁹ Mobility defines by Doyle¹⁰ means “the movement of people between nations to facilitate cross cultural learning, cooperation and development”¹¹, which for the European mobility is a way for the citizens to consider themselves as European. Besides European citizenship should gain more sense on the basis of the mobility and as Preuss¹² states it “is more an amplified bundle of options within a physically broadened and functionally more differentiated space than a definitive legal status”.¹³ Education and training, in order to wake citizens' interest in international mobility, are supported by programmes applied by the EU.¹⁴

Many of the citizens make use of the mobility programmes and other possibilities within the EU; it is therefore important for this paper to analyse whether the active participation of their mobility increases their awareness of their rights and other options they have as EU citizens. That is, it needs to explain the rights and their development from the beginning of the EC to the process of establishing the EU as well as characterizing the different possibilities in the

⁷ Jung and Schmahl, p. 1272.

⁸ Cf. Jung and Schmahl, p. 1272.

⁹ Cf. T. Zevgitis and A. Emvalotis, ‘The impact of European programmes dealing with mobility in secondary education’, *Journal of international mobility*, vol. 1, 2015, p. 62.

¹⁰ 2011, p. 15.

¹¹ Doyle, 2011, p. 15., in Zevgitis and Emvalotis, p. 63.

¹² 1995, p.280.

¹³ Preuss, 1995, p. 280, in Zevgitis and Emvalotis, p. 63.

¹⁴ Cf. Zevgitis and Emvalotis, p. 63.

area of mobility programmes and their use among citizens of the Union. One way of doing this is to examine in a chronological order the historical development of the EU citizenship and individuals' rights on the basis of particular cases related to the citizenship which the ECJ had to deal with. This part forms the second chapter. First, citizenship needs to be identified, as it was not specified in the EC/EU until 1993 when it first appeared in the Maastricht Treaty. The rights as such existed before; the different cases explained in chapter 4.2.1. led to the clarification of those rights.

Among other things this paper provides results from different types of research made on the subject of citizenship and citizens' awareness. Statistics made over the years (also in comparison to the current awareness of the citizen presented in chapter six) will show if participating in the mobility programmes increases the awareness of citizens' rights and the possibilities within the EU.

2. Citizenship

2.1. What is the citizenship?

Citizenship refers to the formalized as well as the practical relationship between a government form and its members. The term indicates the conditions of this relationship, its institutionalization and its practical form. This makes it possible to differentiate between three different aspects of citizenship: the conditions, the legal consequences in the sense of rights and obligations, and the active shaping of the affiliation to a polity. Citizenship, however, primarily assumes a legal status in the German language. In this sense, the term refers to a political affinity, usually the nationality of the German. In contrast to the term "citizenship" in English, and the term "citoyenneté" in French, which explicitly refer to an active citizenship, these terms also point to their content and implementation, and not just to a legal status. When considering citizenship, the active citizen's component is also included in the German version of the term. Citizenship finally has a fundamental interrelated relationship with democracy in democratically organized forms of government. First, civil rights and civil liberties are one of the foundations for a functioning democracy. Secondly, active citizenship plays a central role, as democracy does not consist solely of electoral and civil rights, but also of democratic practice.¹⁵

The well-known relation between citizen and polity of a state, which has been established in nation-states in the last 200 hundred years, significantly derives from the link between the citizens of the Union and from the EU polity institutionalised in the 90s. The polity of the EU has been described "as a multi-level polity with a weak core which cannot claim the legitimate monopoly of force over a population within a bounded territory"¹⁶ as there are no fixed boundaries or any centralised political structure. The "new practice of governance beyond the state"¹⁷ is the context where this developing relation is placed. As already mentioned, the political arena where the EU works is not fixed but it is characterized as a "continuous state of construction"¹⁸. The TEU specifies the additional nature of the EU and

¹⁵ C. Wiesner, *Bürgerschaft in der EU als Prozess – und als demokratisches Projekt?*, in K. Ruhl, et al. (ed.), *Demokratisches Regieren und politische Kultur. Post-staatlich, post-parlamentarisch, post-patriarchal?*, vol. 4, Münster, LIT Verlag Münster, 2006, pp.197-198. Translated by the author from German to English.

¹⁶ A. Wiener, 'Assessing the Constructive Potential of Union Citizenship - A Socio-Historical Perspective', *EioP*, vol. 1, no. 017, 1997, p. 3.

¹⁷ M. Jachtenfuchs, 'Theoretical perspectives on European governance', *European Law Journal*, vol. 1, no. 2, 1995, p. 115.

¹⁸ A. Wiener, p. 3.

creates the assurance of its twelve signatories to preserve the totality of the valid EU law and rely on it and to "create an ever closer Union among the peoples of Europe".¹⁹

According to the notion of national citizenship, EU citizenship is intended to define a bond relationship between national citizenship and the European Union defined by the rights, obligations and political participation of the citizen. This is intended to remove the discrepancy resulting from the fact that citizens are directly affected by more and more EU measures. On the other hand, the exercise of rights and obligations and participation in the democratic processes are almost exclusively at the national level. EU citizenship is intended to promote a European political public, European political awareness and a European identity, and not least the improvement of the identification of citizens with the EU. It also aims to develop a better protection of the rights and interests of the nationals of the Member States / EU citizens in the Union's relations with the rest of the world (Article 3 (5) TEU).²⁰

As Antje Wiener²¹ describes in her *"Socio-Historical Perspective about Assessing the Constructive Potential of Union Citizenship"* three constitutive elements define the concept of citizenship, namely "the polity/community, the citizen, and "citizenship practice" (the relation between community and citizen)"²². While the citizenship practice as the last element in the field of the citizenship theory tries to achieve a unique historical view of citizenship, the first and second are common elements. This third element indicates recognizing citizenship in a specific context. The realisation of rights as well as the representation of identity which was expressed through the effort of approach to full membership empirically determined its historical changeability. *"Rights, access and belonging* are therefore termed the three historical elements of citizenship".²³

¹⁹ Preamble, Art 1 TEU, [website], <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A12012M%2FTXT>, (accessed 12 July 2017).

²⁰ Cf. U. Bux, *Europäisches Parlament, Die Unionsbürger und ihre Rechte*, [website], 2017, http://www.europarl.europa.eu/atyourservice/de/displayFtu.html?ftuId=FTU_2.1.1.html, (accessed 10 July 2017).

²¹ 1997, p.3.

²² A. Wiener, p. 3.

²³ A. Wiener, p. 4.

2.2. The development of citizenship in the EU

The citizens of the Member States have already been granted certain rights to the other Member States at the start of European integration.²⁴ Since the Treaty of Rome in 1957 the EEC Treaty defines the rights of free movement, granted to all citizens of the Member States²⁵, as well as certain other economic and intra-market rights.²⁶ Thus, equal treatment with residents of other Member States was granted within the scope of the Treaty.²⁷ The freedom of movement as one of the four basic freedoms was necessary for the functioning of the internal market; work or social legislation was necessary to implement other requirements of the Treaties. In particular, the Commission's legislative initiatives, which together with the ECJ have extensively interpreted the resulting regulations, have given rise to rights and legal practices at a more limited level than the regulations of some Member States in restricted sectors such as equality policies at EU level.²⁸

2.3. The development to the Europe of citizens

The concept of EU citizenship was not developed in connection with the governmental conference on the political union. On the contrary, citizenship and related rights are the result from the early 1970s of a long-term development of the European Community from a "Europe of the economy" into a "Europe of citizens".²⁹ Providing freedom of movement for nationals of the Member States is the aim of the recognition of a Europe of citizens. Nevertheless, the nationals are not merely characterized as economic individuals, but as persons with all the rights and obligations which pertain in a democratic and constitutional society. These include the nationals of the Member States and the EU constituting them itself.³⁰

²⁴ Cf. Schönberger, p. 664.

²⁵ Cf. Schönberger, p. 664.

²⁶ C. Wiesner, in K. Ruhl, et al. (ed.), *Demokratisches Regieren und politische Kultur. Post-staatlich, post-parlamentarisch, post-patriarchal?*, Münster, Lit Verlag Münster, 2016, pp. 197-198.

²⁷ Cf. Schönberger, p. 664.

²⁸ C. Wiesner, in Ruhl, et al. (ed.), pp.197-198. Translated by the author from German to English.

²⁹ Van den Berghe, 1982, p. 22, in A. Wiener, p. 6.

³⁰ Cf. G. Schulz, *Freizügigkeit für Unionsbürger*, 1997, p. 53, in M. Wiener, *Bürger und Union. Die Unionsbürgerrechtlinie in Österreich*, vol. 11, Facultas, Nomos, 2009, p. 15.

The result of the Paris Summit from 1972 was that "[t]he member states of the Community, the driving force of European construction, affirm their intention before the end of the present decade to transform the whole complex of their relations into a European Union."³¹

Economic activities were originally fundamental for the rights conferred on citizens of the Community by the EEC Treaty, in particular within the framework of fundamental freedoms. Therefore the term "market citizen"³² has marked the position of the citizen under the EEC Treaty. At the end of the 1960s, the political agenda once again included the European integration project, due to the progressive realization of the Common Market which went beyond market integration.³³ At the summit meeting in The Hague on 1 and 2 December 1969, the Heads of State and Government reaffirmed their "belief in the political objectives which gave the Community all its meaning and scope, [...] its determination to lead this underpinning to an end and [...] their confidence in the ultimate success of their efforts."³⁴ However, no concrete progress towards a "political union" was achieved. At the first summit of the Community, which was then enlarged to nine Member States, in Paris, from 19 to 21 October 1972, the political desire to move away from a pure economic community was again demonstrated by the fact that the Member States emphasized the development of the Community, among other things, on "Freedom of expression, freedom of movement of persons and ideas."³⁵

At this summit, the idea of a "Europe of citizens" was also articulated for the first time. The Italian Prime Minister spoke of the creation of a "European civil right". Members of the Member States should, in addition to their previous nationality, receive a European right to enjoy certain political rights, such as local elections, after a certain period of residence.³⁶ Two years later, at a summit in Paris in December 1974, the heads of state and government of the Member States established a working group proposing a general right of residence.³⁷ This working group was also asked to examine the conditions under which the citizens of the Member States could be granted special rights as members of the Community. The report "Europe for Citizens", which was subsequently drawn up, dealt with certain civil and political

³¹ Commission, 1972, General Report, point 5(16). In: Cf. A. Wiener, p. 6.

³² H. Von der Groeben, (ed.), Kommentar zum EU-/EG-Vertrag, 1999, Art 17, in M. Wiener, *Bürger und Union. Die Unionsbürgerrichtlinie in Österreich*, vol. 11, Facultas, Nomos, 2009, p. 15.

³³ Cf. M. Wiener, p. 15.

³⁴ Cf. Schlusskommunique of the conference, EC general report 3/1969, 527 (under 4), in M. Wiener, p. 15.

³⁵ Cf. Nr (1) and (3) of the final declaration. EC general report 6/1972.

³⁶ Cf. F. Wollenschläger, *Grundfreiheit ohne Markt – Die Herausbildung der Unionsbürgerschaft in unionsrechtlichen Freizügigkeitsregimen*, Tübingen, 2007, p. 92.

³⁷ Von der Groeben, in M. Wiener, p. 16.

rights, mainly with active and passive suffrage as well as with the right of access to public offices, leading to the introduction of the direct voting procedure to the EP.³⁸

2.4. Initiatives for European citizenship

It was not until the conferences of The Hague in 1969 and Paris in 1972 and 1974, with their revival of the European Union, that the political initiatives for European citizenship were taken. They declared the "political union" as an objective of integration and, in addition to new policies, also looked at the participation of citizens as a legitimation source of the EEC.³⁹ The vague speech of "the citizens' Europe" was the first to formulate the ERASMUS programme in the field of legal policy, with the aim of "consolidating the concept of a Europe of citizens".⁴⁰ In the ensuing controversy, the ECJ recognized the "realization of a Europe of citizens" as a general objective of the Community.⁴¹ Thereafter, the "Europe of the citizens" established itself as a separate area of competence of the Commission⁴², and under this associative concept arose a whole range of Community initiatives.⁴³ Parliament's further demands also gained weight after the Single European Act had decisively strengthened Parliament's legislative power in 1987. In order to avoid the presumption that the opinions of the representatives of European citizens are not taken into account, the Commission proposed a municipal right. The fact that Parliament was an advocate of European citizens also showed that there could not be European citizenship without the same protection of citizens' rights and freedoms.⁴⁴

³⁸ Cf. A. Gimbal, Unionsbürgerschaft, in W. Weidenfeld and W. Wessels, (ed.), *Europa von A bis Z*, Baden-Baden, Nomos, 2012, p. 357.

³⁹ Cf. D. Rabenschlag, Leitbilder der Unionsbürgerschaft, in R. Hoffmann, S. Kadelbach and R. Klump, (eds.), *Schriften zur Europäischen Integration und Internationalen Wirtschaftsordnung*, Band 16, 2009, p. 62.

⁴⁰ Article 2 (iv), the ERASMUS Council Decision 87/327 / EEC, 1987, L 166, 20, in Rabenschlag, in Hoffmann, Kadelbach and Klump, (eds.) p. 66.

⁴¹ ECJ, Case 242/87 Commission v Council [1989] ECR 1425 para. 29; Franz "l'Europe des citoyens", Engl. "A people's Europe", in Rabenschlag, in Hoffmann, Kadelbach and Klump, (eds.), p. 66.

⁴² Bull. EC 12-1988, point. 1.2.2. in Rabenschlag, in Hoffmann, Kadelbach and Klump (eds.), p. 66.

⁴³ Cf. M. Niedobitek, *Pläne und Entwicklung eines Europas der Bürger*, 1989, p. 8.

⁴⁴ The percentage participation of the growing voters decreased with every direct election since 1979 (1979: 63%, 1984: 61%, 1989: 58.5%, 1994 56.8%, 1999: 49.8%, 2004: 45.6% , 2009: 43.0%). However, a study by Member State shows a differentiated picture (with a partial compulsory choice); Increasingly elect voters in the sense of a Europeanisation of the European elections at the place of residence in another Member State, in <http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00021/Previous-elections>, in Rabenschlag, in Hoffmann, Kadelbach and Klump, (eds.), pp. 66-67.

This self-understanding and the increase in parliamentary powers are increasingly contrasted with the fact that, since the introduction of direct elections, fewer and fewer of the responding Community citizens have participated in the European elections.⁴⁵ Finally, the introduction of Union citizenship is closely linked to efforts to construct a collective identity of members of the EEC States as European citizens. In contrast to the integration dynamics of the same individual rights and the democratization of the EEC, this third line of development towards union is characterized by an instrumental rhetoric of the "citizen of the community" and a "Europe of the citizens".⁴⁶ On 26 June 1989, the Commission presented three draft Directives, each of which provided for an independent right of residence for students, workers and self-employed persons leaving the labour force, as well as other members of the Member States. After the Economic and Social Committee and the European Parliament had expressed their agreement to these proposals, the members of the Council agreed politically to the content of the directives. Finally, on 28 June 1990, Directive 90/364 on the right of residence, Directive 90/365 on the right of residence of workers and self-employed persons exempted from working life, and Directive 90/366 on the right of residence of students could be adopted. All three directives were based on Art 235 EEC.⁴⁷

3. Introduction of the Union citizenship

Article G of the Treaty of the European Union of 7 February 1992 introduced a new part (II) into the EC Treaty - Union citizenship. In view of the long-lasting discussion, even if sometimes in a different direction, about a Europe of citizens, this was not surprising.⁴⁸ After the emergence of the European Communities, obvious contours of Union citizenship have emerged. However, the Treaty of Maastricht was the first to incorporate Union citizenship into the legal structure of the EU. The three following treaties, namely Amsterdam, Nice,

⁴⁵ The percentage participation of the growing voters decreased with every direct election since 1979 (1979: 63%, 1984: 61%, 1989: 58.5%, 1994 56.8%, 1999: 49.8%, 2004: 45.6% , 2009: 43.0%). However, a study by Member State shows a differentiated picture (with a partial compulsory choice); Increasingly elect voters in the sense of a Europeanisation of the European elections at the place of residence in another Member State, in <http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00021/Previous-elections>, in Rabenschlag, in Hoffmann, Kadelbach and Klump, (eds.), pp. 66-67.

⁴⁶ Rabenschlag, in Hoffmann, Kadelbach and Klump, (eds.), p. 67.

⁴⁷ Cf. M. Wiener, pp. 21-22.

⁴⁸ Cf. H. Krück, *Europa der Bürger. Forschungsinstitut für Europarecht*, Graz, Karl-Franzens-Universität Graz, 1994, pp. 134-135.

Lisbon, changed the existence of trade union legislation only slightly.⁴⁹ In order to achieve the Union's objective of strengthening the protection of the rights and interests of the members of its Member States, EU citizenship has been introduced in Article B TEU. Contributing to the continuous development and deepening of the relationship between peoples and individuals, as well as between Member States and their peoples, has brought this objective of the Union into line with its tasks.⁵⁰

Already in the 1960s, European citizenship was introduced and conceived with accurately defined rights and obligations. The inspiration came from the freedom of passenger transport provided for under the Treaties. The introduction of a Union citizen has, among other things, defined the protection of the rights and interests of the members of their Member States. This has been done since the mid-1970s and has been the Union's objective with the EU Treaty adopted in 1992 in Maastricht. In the meantime, a new part of the EC Treaty (formerly Article 17-22 TEC) has been dedicated to Union citizenship.⁵¹ Union citizenship went a significant step further in generalizing the rights, which had until then been isolated or case-related, extended them and consolidated them in a joint legal institution. The citizenship of the Union was derived from the nationality of each EU Member State and defined for them a first universal citizenship.⁵²

As the President of the Court of Justice of the European Union stressed, the Treaty of Maastricht had the intention of going beyond the Community's first objective, namely the establishment of a common market, in order to make progress towards a stronger political Union. According to Article 20 (1) TFEU, the citizenship of the Union is linked to national citizenship: "Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship".⁵³

The status of the citizenship of the Union is now decidedly laid down in Art. 20 TFEU. It however, does not explicitly confer any direct rights. As clarified in Art. 20 II TFEU, citizens of the Union have rights and obligations which are laid down in the Treaties. Although the

⁴⁹ Cf. Jung and Schmahl, p. 1273.

⁵⁰ Cf. M. Degen, *Die Unionsbürgerschaft nach dem Vertrag über die europäische Union unter besonderer Berücksichtigung des Wahlrechts*, DÖV, 1993, p. 749.

⁵¹ Cf. U. Bux, [website], 2017, (accessed 10 July 2017).

⁵² Cf. C. Wiesner, in Ruhl et al., (ed.), p. 199.

⁵³ Art 20 TFEU, [website], https://europadatenbank.iaaeu.de/user/view_legalact.php?id=24, (accessed 10 July 2017).

concepts of citizenship and EU citizenship are similar, the States' Parties did not create any EU citizenship through Article 20 TFEU which would be able to substitute for national nationality or to be equitable alongside it.⁵⁴ The Union's citizenship plays a particularly important role in the development of a European identity. This is enshrined in the Treaties in the two Articles, namely Article 20 of the Treaty on the Functioning of the European Union (TFEU) and Article 9 of the Treaty on European Union (TEU) (as mentioned above). The rights granted to the citizens are not supplemented by obligations, which is the most important difference from the citizenship of the Member States and which is supplemented by the citizenship of the Union.⁵⁵ If the Union were transformed into a federal state and was no longer merely a "federation of states", as Jung and Schmahl⁵⁶ describe it in their judicial article, then the establishment of an independent "European nationality" would be possible. Such a federal state should have a genuine European territorial and personnel sovereignty. At the present time, the development of the EU, which would have to overcome high constitutional barriers to a federal state, is not at all intended. Because of this, the citizenship of the Union is linked to the nationality of an EU Member State.⁵⁷

4. Rights of the EU citizens

"Citizenship of the Union confers a number of rights, which are enumerated in the Lisbon Treaty: freedom of movement (Article 21 TFEU), the right to vote (Article 22 TFEU), the right to diplomatic protection by another Member State (Article 23 of the TFEU), the right to petition in the European Parliament and the right to contact the European Ombudsman (Art. 24 TFEU)."⁵⁸ The following subchapter presents the right to free movement which the EU citizens consider be the most positive of all EU achievements.⁵⁹

⁵⁴ Jung and Schmahl, p. 1273.

⁵⁵ Cf. Bux, [website], 2017, (accessed 10 July 2017).

⁵⁶ 2016, p. 1273.

⁵⁷ Jung and Schmahl, p. 1273.

⁵⁸ B. Fauvarque-Cosson, Die Unionsbürgerschaft - ein neuer Motor für die europäische Integration?, in B. Kommenda, (ed.), *Menschen.Recht. Europäische Grundrechtecharta, Unionsbürgerschaft und Zugang der Bürger zum Recht*, Wien, Manz'sche, 2013, pp. 23-24. Translated by the author from German to English.

⁵⁹ Cf. M.-H. Boulanger and K. Dimitrakopoulou, *EU Citizenship Report 2017*, 2017.

4.1. Right to free movement

The central element of Union citizenship remains the determination of the right to individual mobility to seek housing and work in the EU without regard to their national citizenship. The right to free choice of place of residence is one to which only national states entitle their citizens and which, historically, was a long-standing right. In this respect, the free choice of place of residence has an immanent political dimension which cannot be underestimated in its terms.⁶⁰ Article 8a of the EC Treaty promises to the citizens of the Union this general right of residence, regardless of their economic activity. At the same time, however, Article 8a has been subject to a far-reaching clause which makes even this fundamental right conditional on the decisions taken by the Member States by linking the implementation of the right of residence to the corresponding secondary acts.⁶¹

Article 8a 1.

*Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the measures adopted to give it effect.*⁶²

4.2. Other EU citizens' rights and citizens participation

"European citizenship is a lever for the creation of European law and for the realization of a Europe in all its dimensions."⁶³ The relations between national states and citizens also went through changes due to the Union's citizenship. On the one hand, citizens' rights have substantially more practical importance. Beyond the right to free movement, which in 1997 had already affected 5.5 million EU citizens living in a Member State other than their country of origin, there has also been a continuous series of petitions and complaints to the European Ombudsman in recent years. This is an indication that citizens consider the path of the

⁶⁰ H. U. J. d'Oliveira, "European citizenship: its meaning, its potential.", in Dehouse, (ed.), 1994, p. 140.

⁶¹ Cf. The European Community and Human Rights, Luxembourg, Com (93) 702 final: 4-5.

⁶² Citizenship provisions EC Treaty, Maastricht, Part Two, Citizenship of the Union, Article 8a (1), [website], <http://eudo-citizenship.eu/inc/policydoc/Citizenship%20Provisions%20Maastricht.pdf>, (accessed 10 July 2017).

⁶³ Fauvarque-Cosson, in Kommenda, (ed.), p. 24. Translated by the author from German to English.

complaint to the EU level as increasingly promising, and thus for a growing EU-oriented sense of rights and citizenship awareness.⁶⁴

However, in the current development of EU citizenship, citizens are only very limited actors. As Wiesner⁶⁵ describes they have not yet played a major role in the development of citizens' rights in the EU. EU citizens are still showing little political activity in the EU at a political level. Citizenship is therefore developing in the EU mainly through top-down activities. There are also only a few direct contacts between EU citizens and the EU administrative level in Brussels or Strasbourg. They currently exist, for example, in hearings or citizens' participation on the Internet, with only a few citizens or representatives of peer groups being concerned. There are also telephone contacts or the new "Euro-Direkt" information hotline, in which EU residents can call for free and receive information and advice on the EU. Finally, there is the public relations work of the EU institutions. These activities, however, have a comparatively limited range because, in principle, the rulers of the national states are responsible for direct contacts with citizens. The majority of the citizens take up rights, but they do not fully engage in active political activities, they complain individually in case of doubt, but they do not demand them collectively. They inform and participate individually, and in some places even collectively, but are not yet broadly effective in the training of an EU related civil society. In this way, citizenship in the EU currently appears largely as a top-down constellation.⁶⁶ "EU citizenship is thus to be characterized as passive sectoral multi-level legal citizenship."⁶⁷

4.3. Citizenship as the motor of Europe

In contrast to the rights of the citizens of the Union, the introduction of Union citizenship did not create any specific obligations for the citizens of the Union. The duties are merely of a general nature and can be divided into two groups: the first group are primary legal obligations i.e. those obligations contained in individual provisions of the EC Treaty. The second group includes secondary legal obligations, which are the duties imposed on the EU citizens by secondary acts.⁶⁸

⁶⁴ Cf. C. Wiesner, in Ruhl et al., (ed.), pp. 199-200.

⁶⁵ 2016, p. 199.

⁶⁶ Cf. C. Wiesner, in Ruhl et al., (ed.), pp. 208-211.

⁶⁷ C. Wiesner, in Ruhl et al., (ed.), pp. 208-211. Translated by the author from German to English.

⁶⁸ Cf. W. Obwexer, *Die Rechte und Pflichten der Unionsbürger aus der Unionsbürgerschaft*, Baden-Baden, Nomos, 1998, p. 115.

Citizenship plays an important role not only in the institutional structure of Europe but also as an incentive for the newly developed Europe of the citizens. The new active citizenship is emerging on the basis of the demand for participation and in the course of the emergence of a public space. Thus a new European public space has been created as a lever for the development of a more democratic Europe.⁶⁹

The ECJ has created a basic citizenship which claims to establish an area of freedom, security and justice, and to develop a European private right which has therefore become the motor of Europe.⁷⁰ The elements and the status of EU citizenship, which were at first limited to the rights of the Maastricht Treaty, have been decisively expanded in the past 15 years. This status was essentially connected with the establishment of the internal market and the free movement of persons and now contains an extensive list of fundamental rights in various fields.⁷¹ „However, a central feature of Union citizenship is that it does not replace but derives from national citizenship. From the derived belonging to the EU, all EU citizens have more rights in EU countries that are not their home countries than they would have as "simple" foreigners.”⁷²

5. Union citizenship as an instrument for promoting mobility within the EU

5.1. The right to free movement as a central element of Union citizenship

“Freedom of movement is the central element of Union citizenship”⁷³ so is the right to freedom of movement and residence within the territory of the Member States, as introduced in the Maastricht Treaty, the general right of every citizen of the Union. This right, as defined

⁶⁹ Cf. Fauvarque-Cosson, in Kommenda, (ed.), pp. 24-25.

⁷⁰ Cf. Fauvarque-Cosson, in Kommenda, (ed.), pp. 24-25.

⁷¹ Cf. C. Wiesner, in Ruhl et al., (ed.), pp. 201-202.

⁷² C. Wiesner, in Ruhl et al., (ed.), p. 202. Translated by the author from German to English.

⁷³ Schulz, p.68. Translated by the author from German to English.

in Article 18 of the EC Treaty⁷⁴, differs from other Union citizenship rights because it does not fall into the category of political rights, such as the right to vote or to vote for the European Parliament.⁷⁵ The general right to move and reside includes the right to enter, leave, and move freely within a Member State and stay in any of the EU countries. The right of residence includes the right to travel as well as to a place of residence in one of the Member States. Any discrimination against Union citizens on grounds of nationality shall be prohibited by Article 18. Every citizen of the Union is entitled to exercise the right to move and reside in another Member State.⁷⁶ In principle, the right to free movement in the Member States also includes the right to be subject (in other Member States) to checks which may also be carried out with nationals of the State concerned, irrespective of whether the control is carried out at the frontier or within the territory of the Member States.⁷⁷

The right of free movement does not include any economic purpose and is granted to all citizens of the Union, that is, to all nationals of the Member States. It also exists in principle without any time limit which is the result of the concept of stay, which is not inherently limited in time. As far as the territorial scope of application is concerned, the right of free movement under Article 18 (1) of the EC Treaty applies to the "territory of the Member States".⁷⁸ In fact, that employed and non-employed EU citizens within the EU were not intended to be treated equally by the original, mainly economically oriented treaties, the legal position of the non-active EU citizens, such as pensioners, students or the unemployed and jobseekers, remained unclear for a long time. As these citizens were not connected to a particular (person-related) standard of freedom of movement in any of the EU countries they were initially only allowed to rely on closely defined secondary legal acts.⁷⁹

However, the purpose of EU integration was significantly changed, by adding a political component to economic integration through the Treaty of Maastricht. This is why the ECJ,

⁷⁴ "Article 18 (1) Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the measures adopted to give it effect.", [website], <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12002E018:EN:HTML>, (accessed 27 June 2017).

⁷⁵ Cf. Schulz, p.68.

⁷⁶ Cf. Degen, p. 776.

⁷⁷ Cf. Report on Union Citizenship, COM (93) 702 final 21.12.1993, point IV/B, in M. Wiener, p. 29.

⁷⁸ Cf. Degen, p. 776.

⁷⁹ Cf. Jung and Schmahl, p. 1274.

after initial refusal, pointed out in the case of Martínez Sala⁸⁰ (1998) that he intended to use Union citizenship as a flexible instrument for overcoming the differentiation between the employed and the non-active. This should, in any event, apply to matters which are clearly within the competence of the Union. The Court of Justice has continued and expanded this approach in the Grzelczyk⁸¹ case (2001), in which it interprets the EU citizen's claim of equal treatment of residents as a matter of principle.⁸²

5.2. Specific judgments

In order to illustrate the relationship between Article 18 of the EC Treaty and the specific provisions on the free movement of persons from the general principle of non-discrimination under Article 12 of the EC Treaty, Wiener⁸³ takes the ECJ case Raulin as an example. According to the ECJ, the prohibition of discrimination on grounds of nationality in access to vocational training resulting from Article 12 of the EC Treaty implies that a national of a Member State who has been admitted to vocational training in another Member State has a right of entry and, during the duration of training, a right of residence. The right to reside is the logical consequence of the right to have access to vocational training without discrimination.⁸⁴ Article 18 (1) of the EC Treaty now also extends the scope of the EC Treaty to the general freedom of movement of persons, thus extending the general principle of non-discrimination under Article 12 of the EC Treaty to this area. Thus, Article 12 of the EC Treaty applies in the field of general freedom of movement for persons as such.⁸⁵

⁸⁰ C-85/96, Martínez Sala vs. Freistaat Bayern, 1998. The applicant was a Spanish citizen and was legally resident in Germany. The German authorities allowed her to continue to reside in Germany but refused to issue her a residence permit and to grant her a child-raising allowance because she did not possess a proper residence permit, [website], <http://www.hrcr.org/safrica/citizenship/Martinez.html>, (accessed 27 June 2017).

⁸¹ Case 1 (based on the Grzelczyk case): The French national G will start a sports study at a Belgian university in 2013. In the first years of his studies, G contests the maintenance and the costs of studying with his own financial resources. Due to the increasing time burden of studying, G does not want to finance his livelihood anymore. He therefore applied for social assistance in the last year of his studies (2016) with the Belgian Social Security, as he learned that a Belgian national in a comparable situation receives social assistance from the Belgian State. The competent Belgian authority rejects the application, in Jung and Schmahl, pp. 1274-1275.

⁸² Cf. Fauvarque-Cosson, in Kommenda, (ed.), pp. 25-27.

⁸³ 2009, p. 34.

⁸⁴ Court of Justice, C-357/89, Raulin, Collection 1992, I-1027m, paragraph 39.

⁸⁵ G. Schulz, p. 245. / Obwexer, p. 144.

ECJ continued to use a formulation which the Grzelczyk⁸⁶ judgment of 20.09.2001 has characterized. "The Union citizen status is intended to be the basic status of the members of the Member States [and this status allows] those who are in the same situation to enjoy the same legal treatment regardless of their nationality within the scope of the Treaty."⁸⁷

The principle of freedom of movement under Article 21 TFEU was decisive for the jurisprudence of the ECJ. This freedom of movement linked to the exercise of an economic activity by workers was initially a goal for which it had been created. However, the jurisprudence of the ECJ was extended to other categories of persons and so was this purely economic provision of the citizenship posed. The already mentioned Grzelczyk judgment represents a significant step by granting students the status of a "full citizen"⁸⁸. Thus, European solidarity could also be established for citizens who were studying outside their home country. This also prevented the absolutely economic significance of citizenship.⁸⁹ Therefore, Grzelczyk can rely on the prohibition of discrimination enshrined in Article 18 of the TFEU if he makes use of his Union citizenship to freedom of movement under Article 21 TFEU and is legally residing in Belgium. As a result, Grzelczyk in Case 1 is entitled to social assistance from the Belgian State on the basis of Article 18 in conjunction with Article 20 TFEU. Both in *Martínez Sala* and in *Grzelczyk*, the ECJ is developing a "free movement-based non-discrimination clause"⁹⁰. Article 18, Article 20 and Article 21 of the TFEU provide for an independent right to full equality of treatment. The necessary unions-law-related connection to Union citizenship is specifically expressed in Article 21 TFEU (freedom of movement of persons). This is necessary for the opening up of the scope of the general prohibition of discrimination (Article 18 TFEU). In conjunction with Article 18 and Article 21 TFEU, Unions citizenship acts as a central link point, which determines the position of the individual citizen in the Union. As long as a lawful residence exists is the fundamental right to uniform national treatment always confirmed by the ECJ. Since then, this extensive interpretation of Union citizenship opened a lot of ways to the various welfare benefits of the

⁸⁶ C 184/99, *Grzelczyk*, 2001, I-6193.

⁸⁷ Fauvarque-Cosson, in *Kommenda*, (ed.), p. 25. Translated by the author from German to English.

⁸⁸ C 184/99, *Grzelczyk*, 2001, I-6193, the legal dispute concerns a French student who, after three years of studies in Belgium, where he had worked to finance his studies, applied for social assistance in his fourth and last year of studies. On the grounds that he was not a Belgian, he was denied this support. The ECJ reaffirms the principle of the prohibition of direct discrimination on grounds of nationality and restricts the exception: a request for temporary aid is not sufficient to assume that the European citizen is unduly burdening the state finances of the host Member State.

⁸⁹ Cf. Fauvarque-Cosson, in *Kommenda*, (ed.), pp. 25-27.

⁹⁰ Wollenschläger, p. 224.

Member States. Concretely, for example, entitlements to child-raising allowances, basic unemployment insurance, student loans or maintenance grants are covered.⁹¹

Union citizens are not only granted a right of residence in the Union area, but also a wide range of rights in the stay, with the interposition of Articles 18, 20 and 21 of the TFEU. The prohibition of discrimination is very detailed. It concerns both States, the host Member State as well as the home Member State, and includes any possible regulatory areas of national law.⁹²

The legislature has also taken this step. A number of regulations and directives on the entry and residence of citizens of the Union were combined in a single directive in 2004. The law no longer applies only to "workers of the Member States and their family members"⁹³, or to "workers who are excluded from working life and self-employed"⁹⁴ but to EU citizen, who are also students and pensioners. The student mobility, which is strongly supported by Europe, has become the key element of the Europe 2020 Strategy. The success of Erasmus programme is well known and the aim is building a new knowledge-based economic model.⁹⁵

The economic participation, as already mentioned, does not play an important role for any of the Union citizens. They are protected as citizens of the Union, and not as economic participants, whether or not they are exercising their right to free movement. Citizenship as it is, in principle, linked to nationality of the Union, has become independent of the market economy and the freedom of movement. However, it continues to be the responsibility of the Member States.⁹⁶

The legal regulation of the rights of persons is closely linked to nationality and thus to the citizenship of the Union. In this entire process of creating a basic citizenship, there is a paradox: "It is less about creating" Europeans "than to enable the French living in Italy to

⁹¹ Cf. Jung and Schmahl, p. 1275.

⁹² Cf. Jung and Schmahl, p. 1277.

⁹³ Council Directive 68/360 / EEC of 28 June 1968 abolishing the travel and subsistence limits applicable to workers of Member States and their families within the Community.

⁹⁴ Council Directive 90/365 / EEC of 28.06.1990 on the right of residence for employed persons and self-employed persons who have ceased their working lives.

⁹⁵ Conclusion of the European Council of 25th and 26th March 2010 and Commission Communication of 3rd March 2010 "Europe 2020: strategy for smart, sustainable and inclusive growth".

⁹⁶ Cf. Fauvarque-Cosson, in Kommenda , (ed.), pp. 26-27.

"Italianize", to make "Quasi-French" from the Romanians of France, or to "irelandize" the Polish workers in Ireland.⁹⁷

The mobility of mobile citizen of the Union is particularly concerned with non-citizenship prohibitions on discrimination, which are applied in the area of legal practice predominantly in areas which are subject to domestic and foreign courts in different legal regimes. For those citizens of the Union who make use of their citizenship right to free movement, there exist currently different rights which developed on the basis of the broadly recognized prohibition of discrimination. These arise precisely in the legal areas which are not harmonized in material terms, which remain essentially in the competence of the Member States.⁹⁸

5.3. The Union's Citizenship Directive DIR 2004/38/EC

It was not only the ECJ but also the European legislature that seized on the development of a general flawless understanding of freedom of movement by the citizens of the Union launched in the *Martínez Sala* and *Grzelczyk* cases. It is asserted in the Union Directive 2004/38 / EC. Irrespective of the nature of the activity, and in accordance with the ECJ's jurisprudence specifies this Directive the right of residence of the citizens of the Union and accompanies it with claims under social law and.⁹⁹

5.3.1. Purpose of the Directive

The Commission, on the basis of Article 18 of the EC Treaty, was the first to adopt a proposal for a directive on the right of residence of Union citizens on 23 May 2001.¹⁰⁰ The Commission aimed to consolidate and develop the free movement regime, which had become obscure over the years. The Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens and their family members to move and reside

⁹⁷ Cf. Fauvarque-Cosson, in Kommenda, (ed.), p. 28. Translated by the author from German to English.

⁹⁸ Cf. Jung and Schmahl, pp. 1277-1278.

⁹⁹ Cf. Jung and Schmahl, p. 1276.

¹⁰⁰ Commission proposal for a Directive of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ 2001 C 270 E / 150.

freely within the territory of the Member States was adopted. The Directive had to be implemented by the Member States by 30 April 2006.¹⁰¹

The following regulatory areas are covered by the Directive:

- the conditions under which citizens of the Union and their family members enjoy freedom of movement and residence within the territory of the Member States;
- the right to permanent residence of citizens of the Union and their family members in the territory of the Member States after five years; After this period the right of residence is no longer subject to any conditions;
- the restrictions on the rights referred to above on grounds of public policy, public security and public health.¹⁰²

Melanie Wiener¹⁰³ describes the greatest progress in bringing together almost the entire free movement of the EU - Acquis¹⁰⁴ in one act. In this way, a unified system has been created which applies to all categories of persons who are subject to different directives, e.g. employees, students and unemployed persons. So the directive of the EU citizenship thus brings in particular unification and simplification of existing secondary legislation and a codification of the jurisprudence of the ECJ and the ECtHR.¹⁰⁵

The purpose of harmonizing and simplifying secondary legislation is also clear from the recitals in the preamble to Directive 2004/38 / EC. Recital 3 states that:

Union citizenship should be the fundamental status of nationals of the Member States when they exercise their right of free movement and residence. It is therefore

¹⁰¹ OJ 2004 L 158/77, M. Wiener, p. 36.

¹⁰² OJ 2004 L 158/77, M. Wiener, p. 36. Translated by the author from German to English.

¹⁰³ 2009, p. 36.

¹⁰⁴ The "accession" *acquis* was the oldest concept of *acquis* which defined "the whole body of rules, political principles and judicial decisions which new Member States must adhere to, in their entirety and from the beginning, when they become members of the Communities". Gialdino, 1995, p. 1090. According to the European Commission the *acquis communautaire* is understood as "the contents, principles and political objectives of the Treaties, including the Maastricht Treaty; the legislation adopted in implementation of the Treaties, and the jurisprudence of the Court; the declarations and resolutions adopted in the Community framework; the international agreements, and the agreements between member states connected with the Community's activities." A. Michalski and H. Wallace, The European Community: the challenge of enlargement. Royal Institute of International Affairs, 1992, in K. Neunreither and A. Wiener, (eds.), *European integration after Amsterdam: Institutional dynamics and prospects for democracy*, OUP Oxford, 2000, p. 324.

¹⁰⁵ Cf. T. Jaeger, *Freier Personenverkehr: Legislative Reformhaben und neuere Rechtsprechung des EuGH*, *migraLex*, 2004, p. 2.

*necessary to codify and review the existing Community instruments dealing separately with workers, self-employed persons, as well as students and other inactive persons in order to simplify and strengthen the right of free movement and residence of all Union citizens.*¹⁰⁶

Recital 4 further states:

*With a view to remedying this sector-by-sector, piecemeal approach to the right of free movement and residence and facilitating the exercise of this right, there needs to be a single legislative act [...].*¹⁰⁷

Moreover, the right of all citizens of the Union to move and reside freely within the territory of the Member States when exercised under objective conditions of freedom and dignity should also be granted to family members regardless of their nationality.¹⁰⁸

5.4. The Right to free movement as the most beneficial right

The right to work, the right to recognition of professional qualifications, the right to social insurance and pension as well as the right to study in any EU country under the same conditions as the nationals of that country are guaranteed by the right to free movement of persons.¹⁰⁹ The individual citizen appreciates the freedom of movement most of all the benefits of the EU and it is also one of the most visible advantages. Millions of EU citizens live in another Member State and thus make use of this privilege. The abolition or accelerated border controls within the Schengen area are above all beneficial for mobile citizens of the Union. More than one billion trips to other EU countries take place annually. “Under Article 21 (1) of the Treaty on the Functioning of the European Union, every EU citizen has the right to move and reside freely within the territory of the Member States, subject to the restrictions and conditions laid down in the Treaties and the implementing rules.”¹¹⁰ Directive

¹⁰⁶ Recital 3 of Directive 2004/38 /EC. OJ L 158/77, [website], <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>, (accessed 19 June 2017).

¹⁰⁷ Recital 4 of Directive 2004/38 /EC. OJ L 158/77, [website], <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>, (accessed 19 June 2017).

¹⁰⁸ Cf. Recital 5 of Directive 2004/38 /EC. OJ L 158/77, [website], <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>, (accessed 19 June 2017).

¹⁰⁹ Cf. G. Loibelsberger, *EU-Bürgerrechte*, 2017, p. 32.

¹¹⁰ Europäische Kommission, *Ein praktischer Leitfaden für Unionsbürger – Freizügigkeit innerhalb Europas*, 2013, p. 5.

2004/38/EC which has been in force since 30 April 2006 for all EU Member States is the legal basis for the right to free movement. To exercise the right to freedom and freedom of residence more easily the existing Community legislation in this field was codified and revised.¹¹¹

Directive 2004/38 / EC (1):

*Citizenship of the Union confers on every citizen of the Union a primary and individual right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaty and to the measures adopted to give it effect.*¹¹²

In July 2009 a notification from the Commission was published. This aims to assist EU countries in transposing the Directive into national law and its application in practice. Relevant provisions of every Member State are at disposal if EU citizens are interested in their rights in a particular EU country.¹¹³

Citizens of every country of the European Union and within the EU enjoy the right to free movement. Included are the Azores and Madeira (Portugal), the Aland Islands (Finland), the Canary Islands, Ceuta and Melilla (Spain), the French overseas departments and Gibraltar. The right does not apply to the Channel Islands, the Isle of Man, the Faroe Islands (Denmark) or overseas countries and territories. Iceland, Liechtenstein and Norway, as part of the European Economic Area, also grant freedom of movement to EU citizens. Nationals of these countries may in return freely move and reside within the European Union. Even though the Directive does not apply to Switzerland, the right to freedom of movement applies to a certain extent also in Switzerland and EU citizens enjoy certain rights under the agreement between the EU and Switzerland on the free movement of 1999 and the 2004 Protocol in Switzerland. However, this agreement did not go as far as the rights in the directive.¹¹⁴

Students must meet the following three conditions:

¹¹¹ Europäische Kommission, *Ein praktischer Leitfaden für Unionsbürger – Freizügigkeit innerhalb Europas*, 2013, p. 5. Translated by the author from German to English.

¹¹² DIRECTIVE 2004/38/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, [website], <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>, (accessed 16 June 2017).

¹¹³ Europäische Kommission, 2013, p. 5.

¹¹⁴ Europäische Kommission, 2013, p. 9.

1. they are registered primarily to complete general or professional training;
2. they have comprehensive health insurance coverage;
3. they shall provide the competent national authority with a declaration or any equivalent means of their choice that they have sufficient resources for themselves and their family members so that they do not need any social assistance from the EU host Member State during their stay.¹¹⁵

TFEU directly applies the right to reside in another EU country which is the elementary and personal right of every EU citizen. Administrative procedures whether they are respected or not are therefore not relevant. From the moment the conditions are met EU citizens have the right of residence and EU citizens are not granted the right at the discretion of the EU host Member State.¹¹⁶ No economic conditions are linked to the right to reside in the host Member State for a period of three months. The only condition which may be required by the Member States is the possession of a valid passport or identity card.¹¹⁷ Only if EU citizens stay for more than three months they may be required to register with the competent authorities; however, the EU countries can decide to accept or to refuse to register EU citizens.¹¹⁸

Under Article 7 (1) of Directive 2004/38 / EC, any citizen of a Member State may reside in another Member State for more than three months if he:

- is self - employed or employed in the host Member State;
- has sufficient resources for himself and his family members and a comprehensive health insurance cover in the host Member State;
- has been registered in a private or public body which is recognized and financed by the host Member State in accordance with his legislation or administrative practice in order to complete an education, including vocational training and he has a comprehensive health insurance cover in the host Member State and is able to convince the competent national

¹¹⁵ Europäische Kommission, 2013, p. 16. Translated by the author from German to English.

¹¹⁶ Europäische Kommission, 2013, pp. 16-17.

¹¹⁷ Cf. M. Wiener, p. 42.

¹¹⁸ Europäische Kommission. 2013, pp. 16-17.

authority, by means of a declaration or any other equivalent means of his choice, that he has sufficient financial resources for himself and his family members.¹¹⁹

As far as administrative formalities are concerned, according to Article 8 of Directive 2004/38/EC, citizens of the Union are normally only required to register in the host Member State, whereupon the authorities issue a declaration certificate with a purely declaratory effect. The Directive provides that the personal situation of the person concerned must be taken into account and the means of proof to be proved may not be higher than the minimum subsistence level in the Member State concerned:

Directive 2004/38/ EC Art 8 (4):

*Member States may not lay down a fixed amount which they regard as "sufficient resources", but they must take into account the personal situation of the person concerned. In all cases this amount shall not be higher than the threshold below which nationals of the host Member State become eligible for social assistance, or, where this criterion is not applicable, higher than the minimum social security pension paid by the host Member State.*¹²⁰

In order to receive the required registration certificate within the meaning of Article 8 (1) for the three-month stays, it is sufficient for the students to prove the prerequisites. Other non-employed citizens of the Union must prove that they meet the above-mentioned conditions.¹²¹

6. Programme “rights, equality, citizenship”

This programme is designed to provide citizens with better information on their rights and fundamental freedoms, and to ensure that the rights and fundamental freedoms of the EU are applied in a uniform way so it has an impact on their daily lives. It also promotes the rights of

¹¹⁹ Wollenschläger, p. 21. Translated by the author from German to English.

¹²⁰ Art 8 (4) of the Directive 2004/38/EC, [webiste], <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>, (accessed 20 June 2017).

¹²¹ Art 8 (3) of the Directive 2004/38/EC, This privilege of students is explained, in particular, by the temporary nature of their study stay, thus minimizing the risk of claiming social assistance. In addition, it is difficult to prove the existence of a student-typical secondary activity, „Student Directive“ 93/96 ECJ, C-424/98. Commission v Italy, Collection 2000, I-4001, paragraph 40.

the child, the prohibition of any discrimination (on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation) and gender equality.

The programme is intended to contribute to the development of an area in which equality and the rights of human beings enshrined in the EU Treaty, the Charter of Fundamental Rights and inter-national human rights conventions are promoted and protected.

The program "Right, Equality, EU Citizenship" pursues the following objectives:

- promoting non-discrimination,
- combating racism, xenophobia, homophobia and other forms of intolerance,
- promoting the rights of people with disabilities,
- promoting equality between women and men and gender mainstreaming,
- prevention of violence against children, young people, women and risk groups
- promoting the rights of the child
- ensuring the highest level of privacy,
- promoting the rights arising from EU citizenship,
- enforcement of consumer rights.¹²²

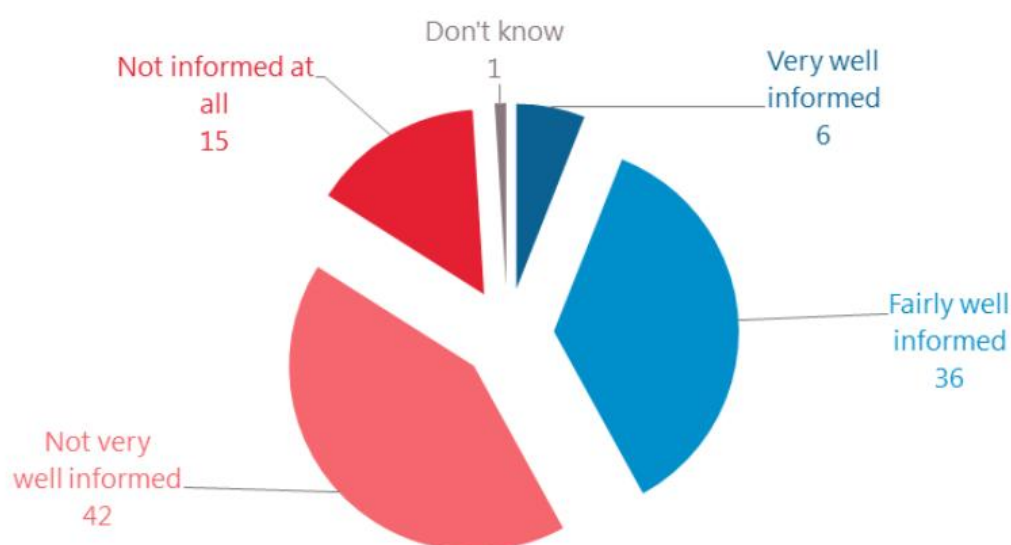
7. EU Citizens' awareness of their status as citizens of the EU

The EU Citizenship Report from the current year (2017) informs us of the results of the public consultation about the percentage of citizens within the EU who are aware of their status as EU citizen. The number is higher than ever before, as stated by the authors of this report.

¹²² B. Zierer, EU-Förderungen von Non-Profit-Organisationen, Wien, Linde Verlag GmbH, 2015, pp. 284-285. Available from: E-book Libraby, https://books.google.pl/books?id=85_ICgAAQBAJ&pg=PA285&dq=unionsb%C3%BCrgerschaft+rechte+und+mobil%C3%A4tsprogramme&hl=sk&sa=X&ved=0ahUKEwikip5rq79PUAhUsKpoKHQEeAksQ6AEIJzAA#v=onepage&q=unionsb%C3%BCrgerschaft%20rechte%20und%20mobil%C3%A4tsprogramme&f=false, (accessed 23 June 2017).

Europeans who are aware of their status as EU citizens make up 87% of all EU citizens. Despite of this, awareness of certain rights is still low. Nevertheless, Europeans are eager to learn about their rights as EU citizens and about possibilities of making their rights to be respected. However, as the following graphic¹²³ from the report shows only 6% of them feel very well informed and 42% not very well informed about their rights.¹²⁴

Q2 How well informed do you feel about your rights as a citizen of the European Union?
(% - EU)



Another conclusion from the report demonstrates that free movement is seen as the most positive accomplishment/goal reached of/in the EU and not only citizens but also the economies of the member states make profit from it.¹²⁵

8. Mobility within the EU

In the case of strengthening a unified Europe migration plays an important role, not from the economic perspective but as a desirable act in which the Erasmus Programme provides the necessary incentive which then promotes integration in Europe. Free movement (as one of the rights of the EU citizens) brings bigger acknowledgment of the advantages resulting from EU

¹²³ Graphic: Boulanger and Dimitrakopoulou.

¹²⁴ Cf. Boulanger and Dimitrakopoulou.

¹²⁵ Cf. Boulanger and Dimitrakopoulou.

citizenship and at the same time promotes the unification of Europe more actively. Furthermore, the European Commission also assumes that the appeal of EU citizenship can be promoted by the possibility of settling in one of the EU countries.¹²⁶ Key elements of a unified higher education area were supposed to support mobility and increase the EU's allure for international students. To those key components belong "the combination of quality assurance and a common qualification framework".¹²⁷ According to the expert for DAAD Erasmus, Christiane Biehl, students' knowledge, sense of fellowship as well as sharing the same history can be supported by Erasmus.¹²⁸ Referring to the four fundamental freedoms, (free movement of goods, services, capital and people of the common market) there also exists the so-called "fifth freedom"¹²⁹ which defines mobility and accountability of communities. Bryła and Domański¹³⁰ also note that it could more clearly be described as the free movement of knowledge.¹³¹

This fifth freedom, according to Jayasuriya¹³², has the ability to form and also establish borders between the EU citizen and society.¹³³ The goals of the Lisbon agenda are supposed to be realized through the Erasmus mobility which is at the same time the strategic instrument of the Lifelong Learning Programme. It is important to stress the political dimension of the mobility promoted by the EU as it is "a key pillar of the internalization and Europeanization processes within the Europe".¹³⁴ As already mentioned above, freedom of mobility is one of the freedoms to which students or non-students have free access within the EU, which then is beneficial to the globalization.¹³⁵

¹²⁶Cf. R. Brooks and J. Waters, *Student mobilities, migration and the internationalization of higher education*, Basingstoke, 2011, p. 74.

¹²⁷ Brooks and Waters, p. 35.

¹²⁸ Cf. Ch. Biehl, in P. Bryła and T. Domański, (eds.), *The impact of the Erasmus programme on mobility and employability*, Lodz University Press, Lodz, 2014, p. 30.

¹²⁹ P. Bryła and T. Domański, (eds.), *The impact of the Erasmus programme on mobility and employability*. Lodz, Lodz University Press, 2014, p. 41.

¹³⁰ 2014, p.30.

¹³¹ Cf. Bryła and Domański, (eds.), p. 41.

¹³² 2010, p. 16.

¹³³ Cf. K. Jayasuriya, 'Learning by the market: regulatory regionalism, Bologna, and accountability communities', *Globalisation, societies and education*, vol. 8, no. 1, 2010, p. 16.

¹³⁴ Bryła and Domański, (eds.), p. 41.

¹³⁵ Cf. Bryła and Domański, (eds.), p. 41.

8.1 Mobility Programmes

“Life is about learning; when you stop learning, you die.”¹³⁶ This quotation from Tom Clancy shows the importance of learning which guides us through our whole life. The next chapter aims to obtain mobility programmes, their goals and structure as well as their impact on students and young people who participate in it. It further presents the Erasmus programme as well as the subsequent Erasmus+ programme and its development and content.

Mobility programmes are one of the policy ways engaged by the EU to build identity with the aim of increasing public awareness following belonging and trust.¹³⁷ Theresa Kuhn challenges in her article *Why Educational Exchange Programmes Miss Their Mark: Cross-border Mobility, Education and European Identity*¹³⁸ the expectation of Erasmus students. Some of the research results from 2005 and 2007 mentioned in her article showed that the Erasmus student exchange programme, the town-twinning project as well as the pan-European research project make citizens of Europe “aware of their commonalities and develop a supranational identity”¹³⁹ when these citizens live, work and study together. Nevertheless, further studies from 2010 and 2011 ascertained that European identity and support on the part of EU is only insignificantly affected by the Erasmus experience. However, it does not make cross-border mobility inefficient if it is about promoting European identity; on the contrary, it elucidates that people who decide to participate are “already very prone to interact across borders and to feel European.”¹⁴⁰

Young age and high education are the firm characteristic signs of cross-border interactions as well as of EU support and the identity of an EU citizen. Exchanges with other Europeans make only a negligible difference as university students “are likely to be already European-minded.”¹⁴¹ Universities’ international programmes are established to draw students’ attention

¹³⁶ T. Clancy, [website], <https://www.brainyquote.com/quotes/quotes/t/tomclancy290204.html>, (accessed 14 July 2017).

¹³⁷ Cf. B. Feyen and E. Krzalewska, (eds.), *The ERASMUS Phenomenon-Symbol of a New European Generation?* vol. 1, Peter Lang, 2013, p. 204, Available from: E-book Library. (accessed 17 July 2017).

¹³⁸ T. Kuhn, ‘Why educational exchange programmes miss their mark: Cross-border mobility, education and European identity’, *JCMS: Journal of Common Market Studies*, vol 50, no. 6. 2012, pp. 994-1010. Available from Wiley Online Library, <http://onlinelibrary-wiley-com.uaccess.univie.ac.at/doi/10.1111/j.1468-5965.2012.02286.x/full>, (accessed 18 July 2017).

¹³⁹ Kuhn, pp. 994-1010.

¹⁴⁰ N. Fligstein, ‘Fields, power and social skill: a critical analysis of the new institutionalisms’, *International Public Management Review*, vol. 9, no. 1, 2008, pp. 227-253, in Kuhn. Available from Wiley Online Library, (accessed 18 July 2017).

¹⁴¹ Kuhn. Available from Wiley Online Library, (accessed 18 July 2017).

to studying abroad.¹⁴² This is one of the ways of creating, and one of the reasons for striving to achieve, internationalisation in education. International mobility and students' participation in it does not only have an essential impact on education in universities but it is also significant for the professional path of students with finished studies.¹⁴³ Students who took part in an exchange programme show greater satisfaction with their universities and are more eager to study and learn new information.¹⁴⁴ Social and academic transformations of students who are mobile evolve into a key source for employers and their value has increased enormously.¹⁴⁵ International education is seen "as a passport for employment or making self-transformative investments"¹⁴⁶ in Malaysia and is also connected to the transformation of sociability presently appearing (2009) in China. There are several aspects influencing the decision taken by the students within the Erasmus programme, e.g. country, university, language, costs but also distance or climate are some of the important factors.¹⁴⁷ Students from Western and economically developed countries choose their exchange country based on their personal reasons whereas students from Eastern and economically developing countries favour economic and academic reasons. From this conclusion came the student mobility study in Turkey.¹⁴⁸

The editors of the book *The impact of the Erasmus programme on mobility and employability*, Paweł Bryła and Tomasz Domański, describe from sources about the mobility of students the division "between student mobility and student exchange mobility"¹⁴⁹. Erasmus belongs to the second option as it is rather to be characterized as an exchange and network programme. As Bryła and Domański¹⁵⁰ furthermore illustrate, the only aspect which makes a difference between these types of mobility is the duration. However, this aspect especially seems to be really important as all dimensions of these programmes are affected by it. Also Erasmus

¹⁴² Cf. T. Kincl, M. Novák and P. Štrach, 'A cross-cultural study of online marketing in international higher education—a keyword analysis', *New Educational Review*, vol. 32, no. 2, 2013, pp. 49-65.

¹⁴³ Cf. J. Wiers-Jenssen, 'Norwegian students abroad: Experiences of students from a linguistically and geographically peripheral European country', *Studies in Higher Education*, vol. 28, no. 4, 2003, pp. 391-411.

¹⁴⁴ Cf. J. Wiers-Jenssen and S. Try, 'Labour market outcomes of higher education undertaken abroad', *Studies in Higher Education*, vol. 30, no. 6, 2005, pp. 681-705.

¹⁴⁵ Cf. A. Oleksiyenko, K.-M. Cheng and H.-K. Yip, 'International student mobility in Hong Kong: Private good, public good, or trade in services?', *Studies in Higher Education*, vol. 38, no. 7, 2013, pp. 1079-1101.

¹⁴⁶ Cf. B. Xiang and W. Shen, 'International student migration and social stratification in China', *International Journal of Educational Development*, vol. 29, no. 5, 2009, pp. 513-522, in Bryła and Domański, (eds.), p. 7.

¹⁴⁷ Cf. C. R. González, R. B. Mesanza and P. Mariel, 'The determinants of international student mobility flows: an empirical study on the Erasmus programme', *Higher Education*, vol. 62, no. 4, 2011, pp. 413-430.

¹⁴⁸ Cf. Y. Kondakci, 'Student mobility reviewed: attraction and satisfaction of international students in Turkey', *Higher Education*, vol. 62, no. 5, 2011, pp. 573-592.

¹⁴⁹ Bryła and Domański, (eds.), p. 27.

¹⁵⁰ 2014, p. 27.

belongs to the organized type of exchange mobility; however, there further exist individual forms of student mobility. “Short-term mobility within Europe has grown substantially also and it remained until today at least as frequent as mobility supported by Erasmus.”¹⁵¹ Although students are not seen as ‘migrants’ and Bryła and Domański call the exchange programmes of students “a more recent phenomenon”.¹⁵² The two fields, mobility and migration, have historically been always integrative and there are various studies on these fields. These authors identify eight key dimensions of the mobility of students to show the different dimensions as well as aspects of student mobility:

1. spatial movements/demographics,
2. economic consequences (labour market),
3. educational,
4. political,
5. psychological,
6. sociological: constructivist dimension of identity,
7. network dimension,
8. virtual dimension.¹⁵³

The next type of division within mobility mentioned by Bryła and Domański is vertical, horizontal and lateral mobility. Status or hierarchy change of an individual or a group characterizes vertical form of mobility. Lateral mobility belongs to spatial type of mobility, and individuals or groups who maintain their socioeconomic position in a movement are part of the horizontal mobility.¹⁵⁴ On the one hand Rivza and Teichler obtain that “mobility is perceived as a most suitable way of getting access to study provisions academically superior to those at home”¹⁵⁵ and on the other hand that mobility is also a specialization in a certain field and therefore it can be seen as the form of vertical mobility. Higher Education in countries and institutions with the same quality of economic and academic improvement with the determination to extend students’ horizons is mostly part of the horizontal mobility.¹⁵⁶

¹⁵¹ B. Rivza and U. Teichler, ‘The changing role of student mobility’, *Higher Education Policy*, vol. 20, no. 4, 2007, p. 464.

¹⁵² Bryła and Domański, (eds.), p. 27.

¹⁵³ Bryła and Domański, (eds.), pp. 27-28.

¹⁵⁴ Cf. Bryła and Domański, (eds.), p. 29.

¹⁵⁵ Rivza and Teichler, p. 458.

¹⁵⁶ Cf. Rivza and Teichler, p. 458, in Cf. Bryła and Domański, (eds.), p. 29.

Taking courses within a mobility programme abroad also characterized horizontal mobility. There are different forms of this type of mobility:

- temporary mobility (e.g. Erasmus),
- short-term mobility (as long as the mobility does not aim for a degree, e.g. Erasmus mobility, learning mobility, language courses, traineeship, internship),
- exchange mobility (two students from two different countries exchange),
- programme mobility (enrolling a complete course),
- degree mobility (studying abroad for a degree purpose either for a whole study programme or for a part of the programme),
- diploma mobility (studying in a different country for the whole programme) .¹⁵⁷

In the case where a student receives the first degree and changes after that to another institution it is a matter of the intercycle mobility. These terms described above demonstrate the perspective of an institution rather than of a student and can be used synonymously; it is also possible to combine these different perspectives.¹⁵⁸

Organized mobility is widespread and typical for Europe whereas student mobility in other parts of the world is defined by their spontaneous forms. Europe's coordinated forms of mobility exist mainly because of the Erasmus Programme. Erasmus as a supported programme on a supranational level grants studying in a different country also just for a short time which makes it exclusive in comparison to other mobility programmes.¹⁵⁹

8.2. Student mobility

Bryła and Domański who are concerned with the different models of student mobility figure suggest in their work that the interpretation of those models was only very rarely analyzed.¹⁶⁰ However, there exists model established by Ewa Krzalewska¹⁶¹ which portrays Erasmus student motivation. Academic, linguistic, cultural and personal reasons are the essential categories and the linguistic one is characterized as the most important reason behind the

¹⁵⁷ Cf. Bryła and Domański, (eds.), p. 29.

¹⁵⁸ Bryła and Domański, (eds.), p. 30.

¹⁵⁹ Cf. Brooks and Waters, pp. 69-70.

¹⁶⁰ Cf. Bryła and Domański, (eds.), p. 34.

¹⁶¹ 2008, p. 94.

students' decision. She also explains that the decision to migrate for a certain period of time is influenced by the balance of different advantages students can gain or from the possible losses. According to Krzalewska labour market competition and personal experiences define the crucial elements of student mobility character.¹⁶² Nevertheless, the central aspect of students' decision to study abroad is „the notion of novelty, new stimulus, otherness or change: students wanted to meet new people, live in foreign country, and see a different educational system.“¹⁶³

Jochen Hellmann¹⁶⁴, member of the Bologna Experts of the German Academic Exchange Service, created a model which contains the existing forms of student mobility. The main difference is between degree mobility and credit mobility. Degree mobility divides into full degree and intercycle mobility. Credit mobility on the other hand divides into unstructured, semi-structured and structured subgroups which also have their own modes. This credit mobility is characterized by the aim of a student to achieve a degree after completing a mobility programme which makes the individual return to his or her home institution. Self-organized, partly-organized or fully organized mobility identify the subgroups of credit mobility which depend on the optional as well as mandatory mobility and students' decision to go abroad on their own or have it organized by the institution. Hellmann also adds that credit mobility can turn into degree mobility which mostly depends on the progress in the student's personal life during the time spend abroad.¹⁶⁵

The third model Bryła and Domański describe in their analysis about mobility programmes is the one from Van Mol, who in the first place demonstrates the socio-cultural and economic circumstances of the individual which have an impact on students' motivation in participating in Erasmus student mobility. In addition to the important factors influencing students' decision mentioned in Van Mol's model are costs, positive and negative impacts as well as the frameworks arrangement of the EU and the level of the institution responsible for the mobility. He also notes European student mobility which not only creates another/additional mobility but also promotes the European identity.¹⁶⁶

¹⁶² Cf. E. Krzalewska, Why study abroad? An analyses of Erasmus student's motivation, 2008, p. 94, in M. Byram and F. Dervin, (eds.), *Students, staff and academic mobility in higher education*, Cambridge Scholars Publishing, 2009, pp. 82-98.

¹⁶³ Krzalewska, p. 90, in Byram and Dervin, (eds.), pp. 82-98.

¹⁶⁴ 2011.

¹⁶⁵ Cf. J. Hellmann, 2011, in Bryła and Domański, (eds.), p. 35-36.

¹⁶⁶ Cf. Bryła and Domański, (eds.), p. 37.

8.2.1. Erasmus Programme

The EU programme Erasmus, which started in 1987, celebrated its 25th birthday in 2012. Initially, this programme supported only 3,224 students in the 11 participating member states.¹⁶⁷ The academic year 2012/2013 was described in the European Commission's brochure about Erasmus as "an exceptional year marked by a key milestone."¹⁶⁸ The reason behind this is that the total number of all participants in that year exceeded 3 million and a further 350,000 employees of the universities were also supported.¹⁶⁹ The Erasmus University Charter is recognised by over 4,000 institutions in 32 countries. Thus, the European Commission may call the Erasmus programme the "most successful student exchange programme in the world."¹⁷⁰ In 2014 Erasmus supported over 230,000 students a year and made more than €450 million available.¹⁷¹

The different student exchange programmes were focussed under Erasmus on the aim of strengthening the partnerships of the universities as well as financially supporting students for their study in a foreign country. The following purpose of the Programme was defined by the Council in Article 2 of the Council Decision:

(i) to achieve a significant increase in the number of students from universities as defined in Article 1 (2) spending an integrated period of study in another Member State, in order that the Community may draw upon an adequate pool of manpower with first hand experience of economic and social aspects of other Member States, while ensuring equality of opportunity for male and female students as regards participation in such mobility;

(ii) to promote broad and intensive cooperation between universities in all Member States;

(iii) to harness the full intellectual potential of the universities in the Community by means of increased mobility of teaching staff, thereby improving the quality of the education and training provided by the universities with a view to securing the competitiveness of the Community in the world market;

(iv) to strengthen the interaction between citizens in different Member States with a view to consolidating the concept of a People's Europe;

¹⁶⁷ Cf. European Youth Portal, 2013, in Bryła and Domański, (eds.), p. 11.

¹⁶⁸ European Commission, *Erasmus. Facts, Figures & Trends*, [website], 2012-2013, http://ec.europa.eu/dgs/education_culture/repository/education/library/statistics/ay-12-13/facts-figures_en.pdf, (accessed 20 June 2017).

¹⁶⁹ European Commission, *Erasmus. Facts, Figures & Trends*, [website], 2012-2013, http://ec.europa.eu/dgs/education_culture/repository/education/library/statistics/ay-12-13/facts-figures_en.pdf, (accessed 20 June 2017).

¹⁷⁰ Cf. European Youth Portal, 2013, in Bryła and Domański, (eds.), p. 11.

¹⁷¹ Cf. European Youth Portal, in Bryła and Domański, (eds.), p. 11.

(v) to ensure the development of a pool of graduates with direct experience of intra-Community cooperation, thereby creating the basis upon which intensified cooperation in the economic and social sectors can develop at Community level.¹⁷²

Bryła and Domański came to the conclusion (on the basis of these goals) that the experience gained through the participation in Erasmus can lead to changes in people's behaviour and at the same time to the expansion of competitiveness in the field of the economy. They came to this result not due the assumption of cooperation and equality mentioned in the objectives of the Programme, but because of the aim of standardizing the possibility of mobility programmes by targeting in particular young people so this activity could evolve into a customary fact.¹⁷³ 150, 000 more students per year were supported in 2007 when the Lifelong Learning Programme of the EU developed to concentrate the different education and training programmes in one place, including Erasmus. Other sub-programmes such as Comenius – Counterpart for schools, or programmes for vocational and adult education such as Leonardo da Vinci and Grundtvig were also consolidated in LLP. The identity of Erasmus as well as its purpose to promote students' mobility were kept separate from other programmes and the power and development of Erasmus is currently apparent in Erasmus+ for the period 2014-2020. All the above mentioned programmes are included in Erasmus+ whose objectives are the improvement of employability, employment flexibility and language skills.¹⁷⁴ With Erasmus “a European Area of Higher Education”¹⁷⁵ was supposed to be achieved with the aim of supporting more cooperation in the sector of higher education. Transparency, as well as compatibility of education and qualification achieved in Europe, was one of the goals of the European Area of Higher Education. Another objective was the improvement of quality and cooperation between institutions and enterprises. The Erasmus

¹⁷² European Council, 87/327/EEC: Council Decision of 15 June 1987 adopting the European Community Action Scheme for the Mobility of University Students (Erasmus), [website], 1987, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31987D0327>, (accessed 23 June 2017).

¹⁷³ Cf. Bryła and Domański, (eds.), p. 13.

¹⁷⁴ European Commission, in Bryła and Domański, (eds.), p. 13.

¹⁷⁵ „One surprising catalysed this movement in 1998, when on the initiative of the French minister Claude Allegre, four European countries [...] issued their call for more convergence in the *Sorbonne Declaration*. Under the official title “Joint declaration on harmonization of the architecture of the European higher education system” the four ministers committed themselves to “encourage a common frame of reference, aimed at improving external recognition and facilitating student mobility as well as employability” [...]. Herewith the dice were cast, especially since “other member States of the Union and other European countries” were invited to “engage in the endeavour to create a European area of higher education, where national identities and common interests can interact and strengthen each other” (Sorbonne Declaration 1998, p. 1), in J. Enders at al., (eds.), *Reform of the Higher Education in Europe*, 2011, p. 13.

programme managed to help students abroad with their industry placements. This art of mobility became a significant part of the Erasmus.¹⁷⁶

After more and more students become attracted by the exchange the necessity of developing international offices which had not existed at most universities was obvious. With the Erasmus programme the international offices in Europe were created which also means that the framework for the exchange of international students was built, as the expert Christiane Biehl expresses. The institutional framework is therefore essential for the functioning of the organized mobility in Europe and within the Erasmus Programme. This programme shall strengthen Europe and help with the promotion of “the idea of unified Europe as one of the essential strengths of the EU.”¹⁷⁷ As Biehl continues, the awareness of diversity and intercultural skills increases after a period spent in a foreign country. She further explains, that within the Erasmus Programme participants have been offered a basic structure and have the opportunity for their own individualization. Moreover, she emphasizes the broad range of possibilities of the most positive way for mobility within Erasmus.¹⁷⁸ Hellmann avers, however; he stressed the point that this programme does not support any of the EU aims such as EU citizenship or identity. On the other hand he emphasizes that the Erasmus programme is not only famous within the academic circle but also outside of it.¹⁷⁹ Iain Wilson on the contrary states that “Erasmus has been held up as a means of building support for the EU among Member States' citizens. Whether or not the programme is demonstrably building support for the EU among current students, some of them will presumably go on to become future European elites [...]”.¹⁸⁰

Erasmus mobility is to be characterized through following components:

- a majority of female exchange students;
- a regulatory framework that lowers obstacles to mobility;
- a high degree of institutionality, and embeddedness into the regulatory framework;
- an emphasis on diversity and togetherness in a common Europe;
- Higher Education Institutions' interests in Erasmus in the process of internalization;

¹⁷⁶ Cf. Bryła and Domański, (eds.), p. 30.

¹⁷⁷ Bryła and Domański, (eds.), p. 31, from R. King, ‘Towards a new map of European migration’, *International Journal of Population Geography*, 2002, p. 95.

¹⁷⁸ Cf. Biehl, in Bryła and Domański, (eds.), p. 42.

¹⁷⁹ Cf. Hellmann, in Bryła and Domański, (eds.), p. 43.

¹⁸⁰ I. Wilson, ‘What Should We Expect of ‘Erasmus Generations?’’, *JCMS*, vol 49, 2011. Available from Wiley Online Library, <http://onlinelibrary-wiley-com.uaccess.univie.ac.at/doi/10.1111/j.1468-5965.2010.02158.x/full>, (accessed 15 July 2017).

- An emphasis on economic and political objectives;
- The lifestyle component of Erasmus – being more a “consumption good”¹⁸¹ than a form of mobility.¹⁸²

In fact, Erasmus is seen as kind of identity programme¹⁸³ and belongs to EU policy European Commission desires to create European awareness by building connections between participating individuals. The development of EU citizens’ awareness in the public area can be achieved only to a limited extend though. Nonetheless, the mobility of citizens of Europe is promoted and above all encouraged through this mobility initiative.¹⁸⁴

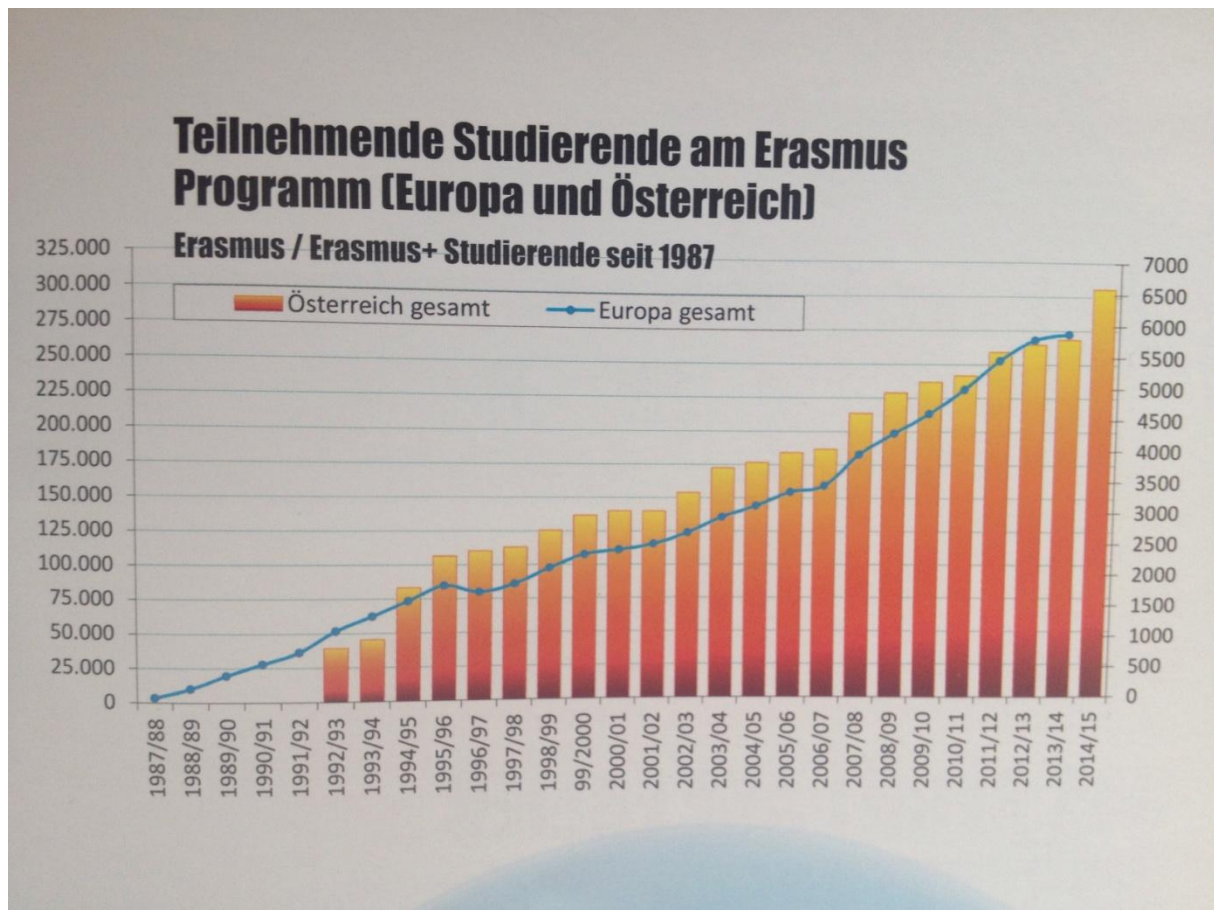
The following statistics shows participation in the Erasmus programme since 1987/88 until 2014/15 within Europe and EU member state Austria:

¹⁸¹ R. King, ‘Towards a new map of European migration’, *International Journal of Population Geography*, 2002, p. 95.

¹⁸² Bryła and Domański, (eds.), p. 43.

¹⁸³ Feyen and Krzaklewska, (eds.), p. 204.

¹⁸⁴ Cf. Feyen and Krzaklewska, (eds.), p. 204.



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8.2. Mobility for non-students

European Union does not only promote student mobility programmes but also supports mobility of workers, employees of the universities, people working for enterprises and many more. The following chapter portrays Erasmus+ and the different options for EU citizens.

8.2.1. Erasmus+

The EU has launched an ambitious programme, Erasmus+ from the knowledge of the importance of education for the future welfare of citizens, nations and Europe as a whole.¹⁸⁶ that promotes education and training, and focuses on skills and mobility. It is an overall

¹⁸⁵ Participating Students in the Erasmus Programme (Europe and Austria), in EU-Bürgerrechte, 2. Auflage, 2017, p.33.

¹⁸⁶ Cf. Europäische Kommission, 2014, p. 3.

program for general education, training, youth and sport, which is to combine the instruments from the different areas of promoting the mobility of students that have been working together.¹⁸⁷ The programme for mobility of university students, Erasmus, was also upgraded to Erasmus+.¹⁸⁸ The aim of the programme is to promote and strengthen personal development as well as learning mobility of individuals and their opportunities in the labour market. It further intends to develop joint master's degree programmes, events in the area of European voluntary service and also support cooperation within innovation and the exchange of good practices.¹⁸⁹

All sectors of education, training and non-formal learning in youth, volunteering and broad sport are supported. The programme replaces various transactional programmes and simplifies the application procedures and process. Since 1987 more than three million students have already been supported by Erasmus. For Erasmus+, the EU is once again using significantly more funding. A further four million young people, students and adults are to be supported from 2014 to 2020 in order to gain experience through study, training, youth exchange or volunteering abroad. The possibilities for cooperation between educational institutions or youth organizations, as well as between the education sector and the working world, are also considerably expanded.¹⁹⁰ In particular the field of education training and youth has been enriched by the development of strategic partnership. Knowledge alliances have also been evolved and structured dialogue meetings funded.¹⁹¹

People as well as organizations are included in the education process, from students, businesses and youth organizations to governments and the EU. The subsidiarity principle can serve as a guideline for the respective competences which means that decisions are always to be made at the level closest to those concerned. According to the EU Treaties, every member state of the EU is answerable for shaping its education, training and youth policy. It is the duty of national governments to make a choice on the content of teaching and the educational organisation. Every single government is also free to regulate education issues at regional or local level. Numerous decision-making powers are also empowered to universities, schools

¹⁸⁷ Cf. H. A. Klimkiewicz, Wintersemester 2016/2017, EU-Förderlandschaften, Teilnehmer-Skriptum, Die europäische Förderlandschaft 2014-2020, S. 10-11.

¹⁸⁸ Cf. P. Z. Cacchione, 'European Union Erasmus+ Program and the Jean Monnet Activities', *Clinical Nursing Research*, vol. 24, no. 4, 2015, p. 339.

¹⁸⁹ Cf. Europäische Kommission, 2014, p. 3. / Cf. Cacchione, p. 339.

¹⁹⁰ Cf. Europäische Kommission, 2014, p. 3.

¹⁹¹ Cf. Cacchione, p. 339.

and training institutions and are partly implemented by youth organizations. The European dimension in education, training and youth policy comes into play so education, in order to develop, can grow and expand, including cross-border. EU countries' policies can progress by learning from each other. Every single individual and organisation involved in the education system can work together on a cross-border basis. In order to create the best learning environment it is necessary to cooperate at the European level so everybody can be provided with highly valuable qualifications. As a result, programmes which cooperate in the fields of education, training and youth have been an integral part of the European agenda for years. In 1987 the Erasmus programme and in 1988 the first youth program (Youth for Europe) were established. However, formal European skills in the field of education, training and youth started being part of the founding treaties of the Union only with the Maastricht Treaty in 1993.¹⁹²

European Union has invested € 14.7 billion in Erasmus+. This EU programme supports education, training, youth and sport for the period 2014-2020. Promotion of the professional prospects and personal development of young people is the aim of this program. This goal should help to ensure that the European systems for education, training and youth enable teaching, learning and youth activities. These are intended to convey to the people skills with which they can assert themselves in the working world and society of today and tomorrow.¹⁹³

8.3.1.1. Erasmus+ consists of three key actions

8.3.1.1.1. Key Action 1

Key Action 1 - Learning mobility includes support for study and work stays, participation in youth activities and teaching activities, training or acquisition of skills which help to gain professional and personal experience and competencies abroad.¹⁹⁴

The possibilities offered by Erasmus+ to all learners and teachers and to the staff in facilities for general and scholastic education and youth organizations include the support of students at universities, who can spend three to twelve months at a university abroad. Alternatively, the students can complete an internship at a workplace abroad for two to five months. The

¹⁹² Cf. Europäische Kommission, 2014, p. 5.

¹⁹³ Cf. Europäische Kommission, 2014, p. 10.

¹⁹⁴ Cf. Europäische Kommission, 2014, p. 10.

possibility of an internship abroad also exists for graduates in the year after their university degree. Erasmus+ supports new, affordable student loans to enable master students to study abroad in Europe. Students can acquire a favourable loan for a full Master's degree abroad. Loans of up to 12,000 Euros for a one-year course or up to 18,000 Euros for a two-year course are possible. Master's students can also take the opportunity offered by Erasmus+ to get a scholarship for joint high-level international study programs running through university alliances. Today's competitive labour market requires lot of specific skills which young people can gain through mobility abroad in education and training. Students in advanced vocational schools, interns or trainees can complete an apprenticeship or internship abroad - either in a company, at a workplace or in a vocational school with a professional part in a company. Internships may have a term of two weeks to one year. The internship abroad must take place within one year after graduation. As part of a youth exchange, young people obtain competences in areas such as project management and teamwork. Through such out-of-school activities, groups of young people are given the opportunity to participate in a planned, structured program (for example a mix of workshops, exercise units, discussions and roll-up games) in a country inside or outside the EU for up to three weeks.¹⁹⁵

By volunteering for a period of 12 months in organizations such as social care, the environment, non-formal education, ICT, culture, etc. young people have a chance to acquire new personal as well as professional skills by participating in the European Voluntary Service. Participants can commit themselves to any object, either inside or outside the EU.¹⁹⁶

For teachers or employees of a company, it is possible to work at an institution in a foreign country, developing new professional opinions and points of view, expanding the personal network and contributing to the modernization and internationalization of the systems of education and training in Europe. These activities can take two days to two months. Teachers as well as non-teaching staff and youth leaders can also be trained abroad. The aim of these activities is to recreate the knowledge and ideas they developed at their home institutions.¹⁹⁷

¹⁹⁵ Cf. Europäische Kommission, 2014, p. 11.

¹⁹⁶ Cf. Europäische Kommission, 2014, p. 12.

¹⁹⁷ Cf. Europäische Kommission, 2014, p.12.

8.3.1.1.2. Key Action 2

Key Action 2 - Cooperation and Partnership provides the possibility of cooperation partnerships between organizations of general education, vocational training and youth, as well as between the education sector and the working world.¹⁹⁸ Development, transfer and implementation of innovative practices in the field of education, training and youth are the reasons behind the strategic partnerships. This goal of the Key Action 2 should occur through cross-border cooperation between organizations of all different types in different countries. Organizations active in education, training and youth are supported by Erasmus+ in order to achieve these aims.¹⁹⁹

The following activities are supported:

- Development of joint study programs, new courses of study, innovative teaching methods (e.g., better use of ICT), new teaching materials, methods and practices (e.g., languages);
- Networking, cooperative learning (peer learning) so that pupils and teachers can work on real subject matter in order to derive entrepreneurial thinking and creative approaches;
- Validation of competencies acquired through non-formal and informal learning at the national level, through their comparison with the EU framework and the use of EU documentation tools.²⁰⁰

There also exists cooperation between higher education institutions and enterprises. Erasmus+ finances organized partnerships between higher education institutions and companies in order to create a closer link between the university and the working world. Knowledge alliances can also help provide students and staff with broader entrepreneurial skills and promote the entrepreneurship of higher education institutions and businesses.²⁰¹

There are several activities supported by Knowledge Alliances. Some of them are e.g. new learning and teaching methods such as multidisciplinary courses, learning oriented on the learner and also real case studies; learning of cross-competencies and their application in

¹⁹⁸ Cf. Europäische Kommission, 2014, p. 10.

¹⁹⁹ Cf. Europäische Kommission, 2014, p. 13.

²⁰⁰ Cf. Europäische Kommission, 2014, p. 13. Translated by the author from German to English.

²⁰¹ Cf. Europäische Kommission, 2014, p. 14.

higher education programs. This activity should be developed in collaboration with companies to improve employability and open up new career prospects.²⁰²

Further cooperation between providers of vocational training and further education and the working world entails alliances for sector-specific skills to adapt their curricula accordingly “and help prepare young people in vocational education and training for the European labour market.”²⁰³ The aim of these alliances is to provide learners with the skills they need for their respective jobs. With the aim to develop and modernize university institutions and to improve youth’s work quality cooperation projects in the field of higher education and of youth work in the EU partner countries in different regions of the world are supported by Erasmus+. Parenting can be established with EU neighbours, in the Western Balkans, Russia, or in Asia, Latin America, and in the countries of Africa, the Caribbean and the Pacific.²⁰⁴

So-called eTwinning promotes and strengthens the collaboration of schools through support, effective tools and the provision of a virtual site for network collaboration. “eTwinning can be used to support mobility projects and strategic partnerships”²⁰⁵ or to work together over the Internet. Teachers and staff professional development is also supported by eTwinning. The employees can improve their professional skills through materials available online and networking services all over Europe.

EPALE, the Electronic Platform for Adult Education in Europe is a virtual place which gives the opportunity for policy decision-makers, educators, representatives and other adult education stakeholders can exchange, present and disseminate methods of good practice in adult education. Through this platform, adult educators can be employed throughout the EU. This has been available since the end of 2014.²⁰⁶

8.3.1.1.3. Key Action 3

Key action 3 - Political reform supports processes of reflection, dialogue and the development of a factual basis for the reform of policies and systems in the field of education, training and

²⁰² Cf. Europäische Kommission, 2014, p. 14.

²⁰³ European Commission, 2014, p. 14. Translated by the author from German to English.

²⁰⁴ European Commission, 2014, p. 15.

²⁰⁵ European Commission, 2014, p. 15. Translated by the author from German to English.

²⁰⁶ Cf. Europäische Kommission, 2014, p. 15.

youth.²⁰⁷ Europe 2020 strategy, the 2020 education and training strategy and other sector-specific strategies are activities supported by Erasmus+. These activities include collecting, analyzing and evaluating data on specific subjects or countries. Not only cooperation projects between public authorities or large organizations and the consultation of public authorities and citizens' organizations but also contact between young people and decision-makers belong to Erasmus+ supported activities.

The aim is to make progress in the quality and effectiveness of systems of education, training and youth policy. Promotion of mutual learning and transnational co-operation as well as improvement of knowledge and support of young people in their active participation in democratic life is the intentions of the Key Action 3.²⁰⁸

8.4. Erasmus for Young Entrepreneurs

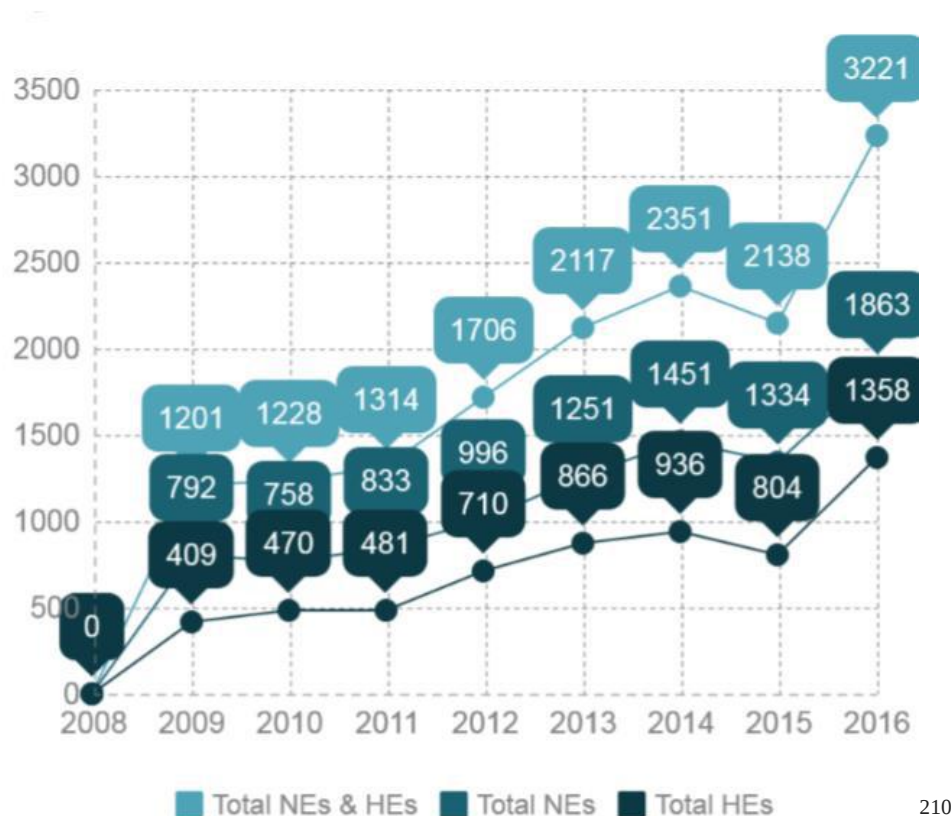
In 2009 the EU initiated another Exchange Programme, namely Erasmus for Young Entrepreneurs, which has also belonged to Erasmus+ since 2014. New or existent entrepreneurs have the chance to be coached by entrepreneurs with experience and further they have the opportunity to participate in exchanges with other countries also outside the EU. Over 6,274 entrepreneurs within Europe took the chance in participating in this programme since the beginning in 2009.²⁰⁹ The mobility within this programme has constantly increased since the programme was launched.

The following statistics from the current year (2017) provides the evolution of registrations since 2009:

²⁰⁷ Cf. Europäische Kommission, 2014, p. 10.

²⁰⁸ Cf. Europäische Kommission, 2014, p. 15.

²⁰⁹ Cf. Erasmus for Young Entrepreneurs, *Latest statistics – January*, p. 1, [website], 2017, [http://www.erasmus-entrepreneurs.eu/press/EYE_Programme_statistics_\(January_2017\)_58a61ff0b9417.pdf](http://www.erasmus-entrepreneurs.eu/press/EYE_Programme_statistics_(January_2017)_58a61ff0b9417.pdf), (accessed: 26 July 2017).



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8.5. EVS as part of the Erasmus+

"The Erasmus+ program, in which the EVS is integrated, is largely implemented locally. This means that the majority of the funds are managed through national agencies in the program countries. In Austria there is the OeAD for the formal education of Erasmus+ and the Intercultural Centre for the Youth Sector (Erasmus+: Youth in Action). The Executive Agency for Education, Audiovisual and Culture is responsible for funding managed at a central level (specific calls and selected parts of the program). At the Commission level, the program falls under the jurisdiction of DG Education and Culture ".²¹¹ The European Voluntary Service (EVS) is a program of the EU Erasmus+ YOUTH IN ACTION program. It is part of the program structure, which covers three main aspects. Key Actions is the term for activities and projects that can be funded under Erasmus+. The EVS is one of the Key Action

²¹⁰ Erasmus for Young Entrepreneurs, p. 1, [website], 2017, [http://www.erasmus-entrepreneurs.eu/press/EYE_Programme_statistics_\(January_2017\)_58a61ff0b9417.pdf](http://www.erasmus-entrepreneurs.eu/press/EYE_Programme_statistics_(January_2017)_58a61ff0b9417.pdf), (accessed: 26 July 2017).

²¹¹ Melanie Jacobs, interviewed by the author, 2016, Interkulturelles Zentrum. Nationalagentur „Erasmus+: Jugend in Aktion“.

1 (KA1) - Learning Mobility for Individuals.²¹² KA1 is about the opportunity for individuals to improve their abilities, to strengthen their ability to work and to expand their cultural awareness.²¹³ Each year, around 3.7 million Euros are managed at the Austrian (national) level in Action Lines 1 (Mobility, including FDF), 2 (Strategic Partnerships) and 3 (Structured Dialogue). The National Agency for Erasmus+ also support accompanying measures such as training programs for youth workers and European volunteers, including preparation training, on-arrival training, mid-term evaluation and a follow-up meeting. Training and monitoring meetings are also available for organizations that wish to receive and send EVS volunteers.²¹⁴

8.5.1. European Voluntary Service

In the European Voluntary Service, young people and young adults, supported by the EU Youth Promotion Program, have the opportunity to participate in a not-for-profit voluntary project which benefits the public abroad for between two months and one year. They are involved in non-profit organizations and projects, such as youth centres, children's homes, national parks, organic farms, nursing homes or refugee projects and many more.²¹⁵ The European Voluntary Service was launched by the European Commission in 1996 as a pilot project. Since then, more than 100,000 young people have participated.²¹⁶ The EU program Erasmus +, also the development program of EVS, is aimed at all young people. In order for the EVS to function sensibly and to provide financial support to sending and host organizations, the agency JUGEND for Europe is an intermediate step. It also supports the EVS and offers consultations. As more and more EU funding is available, the number of European volunteers has increased significantly in recent years. Already by 2014, 10,000

²¹² Cf. Freiwilligenarbeit, *Europäischer Freiwilligendienst (EFD)*, [website], <http://www.freiwilligenarbeit.de/freiwilligendienste-im-ausland/europaeischer-freiwilligendienst-efd.html>, (accessed 26 July 2017).

²¹³ Cf. Erasmus+, *What are the Key actions?*, [website], <https://www.erasmusplus.org.uk/what-are-the-key-actions>, (accessed 26 July 2017).

²¹⁴ Cf. Melanie Jacobs, interviewed by the author, 2016, Interkulturelles Zentrum. Nationalagentur „Erasmus+: Jugend in Aktion“.

²¹⁵ Cf. Erasmus+, *Europäischer Freiwilligendienst*, [website], <https://www.jugend-in-aktion.de/foerderung/leitaktion-1/europaeischer-freiwilligendienst/>, (accessed 26 July 2017).

²¹⁶ Cf. Erasmus+, *Jugend in Aktion*, [website], <http://www.jugendinaktion.at/20-jahre-freiwilligendienst>, (accessed 26 July 2017).

young people had volunteered abroad in Europe. At present, the goal is to support a total of around 100,000 young volunteers by the end of 2020.²¹⁷

For these projects within the framework of the EVS, no special prior knowledge is required. A volunteer in the European Voluntary Service therefore undertakes to work for an organization abroad and is involved in the life and work day of the host country. The projects, their tasks, job and activities, which are extremely diverse, cover the areas of "social work and care (with/of children and young people, the elderly, the homeless as well as disabled), art and culture, church communities, education and politics, public relations, environmental protection, sports and leisure, as well as history and crafts."²¹⁸ The objectives and the advantages of the EVS are that the volunteers get to know another culture as well as another language, self-esteem and independence, as well as teamwork and tolerance. In addition, the EVS can be counted as a waiting period for a study place. The voluntary work of the participants is unpaid and takes place on a full-time basis. However, the EVS is responsible for all costs, all the expenses related to the volunteer project and social security. This means that the participation in the EVS is free of charge for the volunteers. Within the framework of the EVS, orientation meetings as well as accommodation and catering are also organized in the host country. In principle, the sending organization is responsible for all matters concerning the home country and the host organization takes care of everything important abroad. Each and every participant at the EVS is prepared for the service and the service also looks after the participant during the stay abroad. The volunteers receive the EVS-Infokit, which informs them about the basic principles as well as the rights and duties of the European Volunteer Service; they hear about the learning experience and what the Youthpass is exactly. In addition, there is an introductory training session at the beginning of the service, to which all volunteers who are doing the EVS in the same country are invited. Half way through the service there is a refresher meeting.²¹⁹

Besides, EVS also contributes to the European Solidarity Corps Initiative established by the European Commission. This initiative was created "in order to strengthen the cohesion and

²¹⁷ Cf. Go for Europe, *FAQ*, [website], <https://www.go4europe.de/europaeischer-freiwilligendienst-faq>, (accessed 26 July 2017).

²¹⁸ *Freiwilligenarbeit, Europäischer Freiwilligendienst*, [website], <http://www.freiwilligenarbeit.de/freiwilligendienste-im-ausland/europaeischer-freiwilligendienst-efd.html>, (accessed 26 July 2017).

²¹⁹ Cf. Erasmus+, *Jugend in Aktion*, [website], http://www.jugendinaktion.at/europaeischer_freiwilligendienst_download, (accessed 26 July 2017).

foster the solidarity in European society [...].”²²⁰ Volunteering or other forms of work experience within this initiative should build a society where young people commit themselves in solidarity actions also beyond the EU. The European Solidarity Corps also cooperates with other EU Programmes and provide more volunteering opportunities. Not only EVS but also Youth Exchanges, Youth workers’ training and networking and the Partnership between Erasmus+ and LIFE Programmes are programmes with combined activities offering more opportunities and support for EU citizens.²²¹

²²⁰ European Commission, *Erasmus+, Mobility project for young people and youth workers*, [website], https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-b/three-key-actions/key-action-1/mobility-project-for-young-people-and-youth-workers_en, (accessed 26 July 2017).

²²¹ Ebd.

9. Conclusion

Freedom of movement for persons and equality of treatment has been the result of the law of the European Economic Community (EEC) as a classical component of the emerging national civil law. In the first place, the establishment of these rights by the early EEC concerned the establishment of a common market between the Member States. However, these political motives are of particular importance for economic integration and can be understood as a particular development of federalism.²²² The civic rights already established before 1993 were the basis for a citizenship which were then formally introduced by the Treaty of Maastricht. The classical technique of derived federal citizenship, through which citizenship is acquired and lost when a nationality of a Member State of the European Union is acquired or lost, is based on a voluntary association between the states concerned.²²³

EU citizenship is a consistently enduring process, has a status deriving from national nationality, and is heavily right-wing, as Claudia Wiesner describes in her closing consideration. Citizens' rights are spread across the EU in varying degrees. EU citizenship is characterized by the passive use of rights rather than the active "filling" of these rights. However, the first approaches to active European citizenship exist. The EU still does not have a range of rights equivalent to the full national *acquis*. Certain modern rights are at EU level, which go further than in the Member States, and better meet the needs of heterogeneous societies.²²⁴

Despite all the current difficulties, the development of the European Union is a successful project which has evolved over the decades. Today the individual citizen of the Union is entitled to a large number of EU citizenship rights, which is mainly due to judicial legal training from Luxembourg. The project of EU citizenship, as stated in the article "*Unions citizenship: A complex legal institution with far-reaching consequences*" from Stefanie Schmahl and Florian Jung, which at the beginning was widely regarded as not very ambitious, has crystallized into an "integration policy crown jewel"²²⁵ of the Union. The individual citizens of the EU became increasingly part of a European citizenry and are no longer seen merely as market citizens but as a citizen of the Union. This makes Unions' citizenship a key aspect which makes progress with the process of creating an ever closer union of the peoples

²²² Cf. Schönberger, p. 664.

²²³ Cf. Schönberger, 665.

²²⁴ Cf. C. Wiesner, in K. Ruhl et al. (eds.), p. 211.

²²⁵ Jung and Schmahl, p. 1284. Translated by the author from German to English.

of Europe emphasized in the preamble to the Union treaties. According to Schmahl and Jung, the concept of Union citizenship will continue to be at the centre of political and legal disputes since Art. 25 TFEU deals with the development of the Union's citizenship.²²⁶

However, as Chirstoph Schönberger deduces in his article the status of the Union citizen can contribute only marginally to the development of a stronger common awareness of all European citizens. The reciprocal integration of mobile citizens of the Union in the societies of the States of residence brings greater achievements than the transcending awareness of a European community which embraces them.²²⁷

Iain Wilson²²⁸ deals in his article *What should we expect of Erasmus Generation?* with the belief or expectation that students who are mobile will also be more pro-European after participating in the Erasmus programme. He came to the conclusion that students as well as younger EU citizens consider themselves as European and even though this mobility programme does promote mobility of students it does not change their attitude towards Europe and it does not differentiate it from non-mobile students' attitude. As he describes in the abstract of his article "this is because students who choose to take part are already more pro-European."²²⁹ As Wilson further states, Erasmus primarily has an impact on Erasmus students, who then possibly influence other students who are not directly involved in the programme. The impact on the individual choosing a study abroad is most intense through sponsoring of the Commission for Erasmus.²³⁰

The research for this paper has shown that the participation of individuals in different mobility programmes within the EU led to the increase of awareness and participation of other possible participants. However, it did not necessarily promote the awareness about other mobility programmes of the same individual already participating in one of the EU programmes. As described in chapter 8.2.2. participation in the Erasmus Young Entrepreneur Programme increased the number of entrepreneurs interested in the area; nevertheless, it did not lead to accrument/accumulation of entrepreneurs being interested in applying for other mobility programmes promoted by the EU. The awareness about citizen's rights and the opportunities the EU is providing increases within the programmes and especially between

²²⁶ Cf. Jung and Schmahl, p. 1284.

²²⁷ Cf. Schönberger, pp. 667-668.

²²⁸ 2011.

²²⁹ Wilson, Available from Wiley Online Library, (accessed 26 July 2017).

²³⁰ Cf. Wilson, Available from Wiley Online Library, (accessed 26 July 2017).

students and younger EU citizens who are eager to participate in mobility programmes and want to use the chance to become mobile within the EU. As mentioned in chapter eight, cooperation between different mobility programmes gives more opportunities for participating citizens, which then raises their awareness in the field. However, as described in the representation of Erasmus programme, the increase of EU citizens' awareness is limited.

Mobility itself as well as mobility programmes lead to raising awareness within mobile people. EU citizens' awareness about their rights, as well as the participation of young citizens in the mobility programmes, increase constantly, as this paper has shown. As mentioned in chapter eight, in the past (2005/2007) mobility programmes (especially Erasmus) contributed to the awareness of EU citizen. However, later studies have shown that students or other citizen participating in mobility programmes are already pro European citizen or feel European as already explained above by Iain Wilson. Up to a certain point mobility programmes contribute to the development of a person and help to gain experience which is then beneficial for career and intercultural progress and promotes European identity and awareness of citizens about their rights as EU citizens. Nevertheless, participating in mobility programmes does not necessarily imply the development in these areas.

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Graphic

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11. Appendix

Personal experience

The following chapter presents three different EU citizens who have already participated in one of the Erasmus+ programmes. Their personal experience is intended to help the reader to better understand the programmes and also to show if the awareness of these EU citizens after participating in the programmes has increased or not.

1. Jana – Slovakia

Erasmus stay in Germany

The first respondent is called Jana and comes from Slovakia. She is currently writing a travel blog and, among other things, she shared her own experiences of EU mobility programmes with the interested readers. In addition, she has also personally been interested in other possibilities that exist through the EU programmes and has published the results of her research on her blog.

My relationship with Erasmus began four years ago (2011). I spent a year in Germany at the University of Leipzig. It was challenging, I studied in English, Slovak and German at the same time. It was hard but it was a great year that opened my eyes in many ways. For example, I have found that life in Slovakia suits me much more than I previously thought. I only came to this knowledge when I realized that feeling somewhere naturally pleasant is not automatic. In Leipzig, I personally did not feel at home and I did not get used to the German nature. I probably would not go back to Germany, even if I got a great job there. Nevertheless, I'm really thankful I was there. And as a bonus, I learned fluent German (after 15 years of study in Slovakia, where I reached level B1, which is slightly advanced).

New options

After Erasmus at the University in Germany, I began to look at new possibilities and found that the EU offers many opportunities for students, non-students and people of all ages to

learn, travel and meet new people. That was about two years ago (2013). Meanwhile, I spent several months on Erasmus internship in Austria, I participated in two weekly programs - Youth Exchange in Turkey and Training Course in Belgium, and one of these programs I organized a few days ago in the Slovak mountains High Tatras.

The European Union is giving a large amount of money to support Erasmus+. Many of us know Erasmus as a program by which undergraduates study at a foreign college. This is about a sixth of the possibilities offered by the European Union under Erasmus+. You can go for a professional or volunteer internship, for a variety of types of training, you can get a mentor etc. Many people do not know, but for ignorance there is an effective medicine - information.

My first impression was that the EU is quite naive when pumping millions into youth programs. I have talked about how much I used the system and that the EU pays me for traveling. However, I changed my opinion and realized that the EU knows exactly what it is doing. Thanks to the fact that it was so easy to access opportunities abroad, I jumped into them like onto running belt. I met new people, learned new languages, I started to understand other cultures better.

One of the greatest lessons for me was the realization that there is just one home. I have lived in Germany and Austria, which many Slovaks dream of in terms of better pay or better living standards. And clearly, some of them leave their home country, start a new life abroad and are more satisfied than in Slovakia. However, it is not a certainty and a lot of people feel uncomfortable in other countries, and they cannot integrate into that society. I cannot talk about anyone but me, but I think it is always better to experience life in a foreign country on your own than to threaten to leave or secretly dream about leaving Slovakia.

All these little consciousnesses are like dots, which will later begin to blend into a clear picture. As Steve Jobs said: "You can't connect the dots looking forward you can only connect them looking backwards. So you have to trust that the dots will somehow connect in your future." (Steve Jobs)

What you can get from Erasmus +

Erasmus+ funded by the European Union is literally for everyone. If you think that Erasmus is only about students and universities, you are wrong. The EU is dedicated to spending billions of Euros on the education of Europeans and the promotion of multiculturalism. Programs are

literally available for everyone. Education can be attended by high school students, college students, working people and others.

Here are the options:

EU programmes for young people or students:

- **Study abroad**

If you are a college student, you can study abroad for a semester or a year at a foreign university anywhere in the EU and partner countries. Each university has its partner universities with the selection procedures for the programme.

- **EU programs for high school students**

Youth exchanges lasting about 1 week in one of the EU countries or around the world. There are not so many opportunities for high school students under 18; however, there is always a way to participate in those which exist.

- **EU programs for undergraduates**

Youth exchanges and training courses lasting about 1 week in one of the EU countries or around the world - topics ranging from sports through soft skills to networking, the aim is to gain deeper knowledge in the field.

- **Erasmus for Entrepreneurs**

For a maximum of 6 months, you can get mentoring from an experienced entrepreneur anywhere in the EU and partner countries in exchange for help in her or his business. The EU grants a grant to cover accommodation, but also food and travel. The condition is that you do not undertake any business at all or for more than 3 years.

- **Internship in a company**

If you are an undergraduate or a fresh college graduate, you can join a company anywhere in the EU and partner countries. You just need to contact your university. The difference between the internship and Erasmus for entrepreneurs is that while you work for the company you are staying in, during the Erasmus for Entrepreneurs program, your mentor helps you with your business, gives you tips and tricks. In return you help him with his business.

- **EVS**

EVS is the European Voluntary Service. This is voluntary work for a maximum of 12 months, where the EU contributes to volunteers mostly in the non-profit sector (eg nurseries, children's homes, enviro projects, organization of festivals, events). However, this contribution is lower than for work trainees - around 150 € to 250 €. You are not paid, but you have paid accommodation, you get a meal and pocket money. EVS can also be accessed via Mladiinfo or ADEL, but also through many other organizations.

- **Youth Exchange**

If you are between 13 and 30 years of age, you can take part in the Youth Exchange. The most frequent weekly program is full of workshops and seminars on topics such as culture, respect, equality, non-discrimination - there are many different topics. Usually, a trip with an evening program is organized, which takes place most frequently from 9:00 to 19:00. Every project has an organizer who arranges the project in its own country and, through partner organizations in different countries, other participants can get involved in this particular project. For instance, a project is organized by a Turkish organization that finds partners from Slovakia, the Czech Republic, Norway, Spain, Germany or France. The EU reimburses accommodation as well as food and travel costs (there are exact rules on the amount of reimbursed costs, but usually this is sufficient to cover most of the costs). In order for you to participate, you must find the organization in your home country and sign up for a project in which the organization is participating as a partner.

- **Work placements** in a company lasting from 2 to 12 months, where the EU gives a traineeship contribution of approximately 300 € to 600 € and the company where the student is trained does not pay anything.

EU programs for adults:

- **Training courses** lasting about 1 week in one of the EU countries or around the world. If you want to improve on "soft skills" such as organizing, planning, presenting, working in non-profit organizations, training people (and many others), it

will be a great opportunity for you. There is no age limit, but it is primarily aimed at people who use the acquired knowledge in their home country activities. The principle and procedure is exactly the same as in the Youth Exchange, as described above. You also need to find a partner organization that will pick you and send you on the project.

- **Study programs** (for example, for teachers) lasting several weeks.
- **Entrepreneurial Traineeships** - for young entrepreneurs up to 2 years after starting a business, the EU offers an interconnection with experienced entrepreneurs and gives the young entrepreneur a monthly contribution of between € 500 and € 1300 per trainee with an experienced entrepreneur with a length of stay of 1-6 months and in mainly EU countries.
- **Work placements** in a company up to 2 years after graduation, for a duration of between 2 months and 12 months, where the EU gives a traineeship contribution of between 300 € and 600 €. The company where the student is trained does not pay anything.
- **Professional humanitarian internship** in countries particularly affected by natural disasters - this is the latest form of placement that the EU offers and is now open to people who have several years' experience in the area and speak the language of the country to be posted - mostly they are the Spanish speaking countries in South America.

2. Richard – Austria

Erasmus+ in Canada

The second respondent is Richard from Austria. He participated in Erasmus+ in Canada from September 2016 till January 2017.

I completed a double degree master program with the Vienna University of Economics and Business and a partner university in Canada. The application process for scholarships is

standardized at my home university in Vienna, so I was not actively applying for a specific EU mobility programme but rather for a general scholarship. However, I was very surprised and happy that I received an Erasmus+ scholarship, since I did not know that it can be awarded for destinations in non-EU countries. My predecessors that went on the same exchange program the year before all received a „Joint Study“ scholarship which is funded with less money than the Erasmus+ mobility programme. I was not actively looking for other possibilities and EU programmes, as the process is very standardized at my university and I did not even know in first place that I qualify for EU mobility programmes since I was completing an exchange programme outside Europe.

In 2014, I have completed an exchange semester in Moscow, Russia. However, I received a „Joint Study“ scholarship which is usually awarded from my university for destinations outside the EU. The programme did not have a big impact on my opinion about the EU since I completed my exchange in Canada. However, I highly appreciate that an EU-organization provided me with such a fantastic opportunity and funded my exchange programme. If I knew about that before I would have done a lot more research in advance about grants. Furthermore, I will suggest my friends and colleagues that they should check EU mobility programmes even if their destination is outside the EU. While being in Canada I noticed that it is fantastic to be a citizen of an EU country. For example, it was much easier and less bureaucratic to obtain a study permit for Canada in comparison with other non-EU countries. In Europe, students from different countries do not have a real „European identity“ but rather feel Austrian, German, French, etc.. However, when being outside Europe I noticed that these differences disappear and there is a stronger European feeling among the European students.

3. Vanja – Bosnia

EVS in Poland

The third respondent is Vanja, who participated in the European Voluntary Service in Poland. On this example should be visible how the EU also give chance to non-EU citizen to participate in mobility programmes and make the integration increase.

I participated in EVS in Łódź in 2016. I knew about some of the mobility programmes before participating in EVS. I was thinking about participating in other programmes as well but EVS was my main goal. During the EVS year I had the opportunity to get to know other mobility programmes especially during the middle term training organized by EVS. During the first on-arrival training I was provided with information about EVS and what to expect from it. The second training was about giving us – the participants more direction on what we would like to do and going further in the area of mobility programmes. The organizers of the training provide us with a list of all different mobility programmes and opportunities connected to the EU mobility programmes. It was very helpful, I already knew about the different possibilities however, during the training I became more aware about the programmes and I had the opportunity to talk to the people from my NGO about their experience and recommendation. So to sum up through EVS I was provided with much more information about the diverse possibilities and I became more aware of all the programmes.

I am very satisfied with what I gained on the information from mobility services and although I am a person who knew quite a lot about it and still found out more and it opened my area of possibilities and helped me to figure out where and in which directions to go.

12. Zusammenfassung

Die Bürger der Europäischen Union haben eine ganze Reihe von verschiedenen Rechten, die ihnen nur auf der Grundlage ihrer Staatsangehörigkeit eines der EU-Mitgliedstaaten gewährt werden. Diese Privilegien machen das Leben, arbeiten oder studieren innerhalb der EU, aber auch außerhalb der EU, viel einfacher. Insbesondere die mobilen Bürger der EU genießen das Recht auf Freizügigkeit, was eines der am meisten geschätzten Rechte ist, die die EU ihren Bürgern gewährt. Die Europäische Union zielt unter anderem darauf ab, das Gefühl der Zugehörigkeit zu Europa und die Entwicklung des Bewusstseins der Bürger für ihre Rechte und Möglichkeiten innerhalb der Union zu fördern. Mobilität, die es vor allem jungen Menschen ermöglicht, mehr Erfahrungen aus dem Ausland zu sammeln und ihre persönlichen Fähigkeiten und ihre Beschäftigungschancen zu verbessern, ist auch der Schlüssel zur Unterstützung des Bewusstseins der Bürger und ihrer Identifikation mit Europa. Diese Arbeit zeigt die Entwicklung der Unionsbürgerschaft, die daraus entstehenden Rechte und insbesondere die Bewegungsfreiheit. Darüber hinaus werden Mobilitätsprogramme und Möglichkeiten, die sich aus der Staatsbürgerschaft und den Bürgern ergeben, vorgestellt. Um die Wirkung von Mobilitätsprogrammen auf das Bewusstsein der Bürger auszusetzen, werden in dieser Arbeit verschiedene Analysen und Untersuchungen vorgestellt.

Die wichtigsten Ergebnisse zeigen, dass sich die Mobilität positiv auf das Bewusstsein der Bürger auswirkt. Allerdings existiert ihre positive Einstellung gegenüber Europa und der EU bereits vor der Teilnahme an einem der Mobilitätsprogramme oder bevor die Bürger mobil geworden sind.